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Frederick Exon.



28 Hist.
The Right Rev.
The Lord Bishop of Exeter.
for the Editor
Camden Society. Vol. 2

LETTERS AND PAPERS
OF
JOHN SHILLINGFORD,
MAYOR OF EXETER 1447-50.

EDITED BY
STUART A. MOORE, F.S.A.



PRINTED FOR THE CAMDEN SOCIETY.

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INTRODUCTION.

THE Letters and Papers now first published were found dispersed among the Archives of the Corporation of Exeter. They now consist of broken fragments of what was once a very curious collection. Some of the letters were found in the cupboards of the old Council Chamber, in the gallery of the Guildhall (now pulled down), but a great number had lain for years under the very tiles of the Guildhall roof, whence I rescued them from imminent destruction from damp, in the course of my task of arranging the very valuable and voluminous collection of Archives of the City of Exeter.

They consist of Letters and Papers relating to a suit brought against the Mayor and Citizens of Exeter by Edmund Lacy, the Bishop, and the Dean and Chapter of Exeter.

The imperfection of the collection is greatly to be regretted, as it is difficult from what remains to obtain a clear idea of the progress of the dispute to which it relates.

The quarrel seems to have been one of long standing, and turned upon a matter of great consequence in those days, viz. the respective jurisdictions of the Mayor and Corporation, and of the Church. The Mayor claimed sole jurisdiction within the whole City, including the Bishop's Palace. The Bishop and Dean and Chapter claimed that the Bishop held a fee called the Bishop's Fee, or Saint

Stephen's Fee, separate, distinct from, and out of, the jurisdiction of the Mayor.

The dispute appears to have grown up through a long course of years, for we find, as far back as 11 Henry VI., A.D. 1432-3, on the Common Pleas Roll that the Bishop brings his action at common law for an infringement of his liberties when the Mayor attached two knives in the Bishop's Fee, by colour of a presentment made in the Mayor's Court; but the immediate ground of action was a far more serious offence, and would almost seem to have been intended on the part of the City to provoke the suit. On Ascension Day, 23 Henry VI. A.D. 1445, the Sergeant-at-Mace arrested one John Vouslegh, the servant of John Snetesham, Chancellor of the Church of Exeter, in the Bishop's Palace, at the suit of one William Wynslow, when the said Vouslegh was holding up from the ground a golden cope which his master was wearing, going in procession of divine service.* At first one was inclined to look upon this as an exaggeration on the Bishop's part; but, as the allegation is not denied by the Mayor, we are forced to the conclusion either that the Sergeant was highly indiscreet, or that the Mayor intended to bring the question to an issue. The Bishop's suit is also brought for the arrest of one John Notte, Clerk in the Close, on 14 April, 24 Henry VI., A.D. 1446, at the suit of John Huset, skinner, and of Thomas Kene, clerk, on 3 November, 25 Henry VI., A.D. 1446, at the suit of John Batyn. The damages were laid at £1,000. The suit was commenced in Hilary Term, 26 Henry VI., A.D. 1447. The City appeared and pleaded in Trinity

* "*Quandam capam auream qua idem Magister suus eundo in processionem divini servicii tunc utebatur ibidem a pulvere terre supportandum.*" County Placita, Public Record Office, Devon, No. 72.

Term following, and the suit was then postponed till Hilary Term, 27 Henry VI., A.D. 1448, when it was appointed to be heard at Barnstaple, before Sir Richard Newton, the Chief Justice of the Common Pleas, and Sir Nicholas Ayssheton, Justice of the Common Pleas, on Monday after Saint Lucy the Virgin, 16 December, 1448, when a verdict was entered for the Bishop, according to the terms of the Agreement printed at p. 136, No. XXXVIII.

The mayor and citizens do not appear to have been altogether the aggressors, but, as the quarrel was an ancient one, difficulties were evidently of constant recurrence. It would seem as though Shillingford, finding that it was absolutely necessary to bring the affairs to a crisis, and so to try the vexed question of jurisdiction to the end, had determined to provoke the Church party to a suit. We gather from the Articles that the mayor and bailiffs had great difficulty in keeping order in the city on account of the division or supposed division of the jurisdiction. The Bishop's tenants appear to have been great offenders in this particular, and to have defied the Mayor's authority. The Mayor's Articles of Complaint show that one Hugh Lucays, a tenant of the Bishop's, "the most or one of the most mys governed man of all the City of Exeter," made affray upon one Richard Wode in the High Street and was arrested by the Serjeant-at-Mace; but escaping from his custody he fled to the Cathedral, when the City's Officers following him in hot pursuit entered the Church to bring him forth. There, however, they met with opposition from the Canons and Ministers of the Church, who, if we are to believe the complaints of the Mayor, proved themselves very valiant defenders of the accused, and soundly beat the City's officers, defending their man with swords and knives. The prisoner seems to have made good his escape.

> The suit was postponed from term to term, till the Bishop, finding probably that the legal proofs of his claim were weak, procured a Privy Seal from the King ordering the matter to be settled by the arbitration of the Lord Chancellor Archbishop Kempe, and the two Chief Justices, Sir John Fortescue and Sir Richard Newton. This proceeding appears to have been equivalent to what is now-a-days called referring the matter to a special case or taking the suit from Common Law to Chancery. This turn of affairs appears to have been hugely unsatisfactory to the Mayor and Citizens, who there-upon petitioned the King for the recall of his Privy Seal, stating in very plain language that his action in the matter was illegal and contrary to the provisions of Magna Charta. (See No. XXXVI.) They also petitioned the Lord Chancellor for the same purpose, but to no effect. At last the matter was compromised by the award of Sir Philip Courtenay and Sir William Boneville. (No. XXXVIII.)

The case having got, so to speak, into Chancery, the Articles of Complaint, and Answers, Rejoinders, and Replications, Articles of Proof, &c., were put in. Such of these as are extant will be found printed in Part II. They are very interesting, and again it is to be regretted that they are so imperfect. They bear no dates, but appear from the evidence of the different letters to have been put in at various stages of the case. It is very remarkable that we find no mention or notice that evidence or affidavits were taken in support of the allegations of these Bills and Answers, the terms of which in many places so flatly contradict each other.

The substance of the Articles is as follows: The Mayor first traces the History of the City from ancient British times before the coming of Vespasian, showing that it was an old city long before the existence of the Cathedral; and complains of the prevention of

the arrest of Hugh Lucas, as before stated. He also complains that the Bishop's tenants refuse to pay the King's dime or tenth and other taxes and talliages within the City as parcel of the same; that the Bishop's tenants and officers prevented the arrest of a felon; that purprestures and encroachments had been made in a street called Fish Street, contrary to a composition made between the Bishop's predecessors and the City; that they had also made a purpresture in the High Street, by building stalls sixty feet long and three feet broad, in front of a tenement belonging to them, which is now the house of Messrs. Green and Co. the drapers; also that the Dean and Chapter had shut the doors of the cloister and stopped a common way to a place called "the Praiell, the whiche ys comyn sepulture whenne the cymytere standeth pollute," and the cloister, "a place of praier and devocyon to praie for alle sawlys was bonys lieth yn the said cloyster and praiell." The Mayor also charges the Church party with setting fire to a timber-stack to endeavour to burn part of the City, and then endeavouring to "dysclaundre" the citizens by saying they tried to burn the Cathedral; also that postern-doors have been made in the town walls, in the Archdeacon's gardens, which are not kept according to the composition thereupon made, and that by these gates "full ungodely cariage as suspicious men and wymmen have be ladde yn and oute, and divers men that should have be arest conveyed away by that wey." Also that filth and rubble is thrown into a lane at the back of the Archdeacon's houses leading to the town walls, whereby the road is impassable, the gutters choked, and much damage done. Also that the Dean and Chapter have broken the lock of the broad gate at Freron Lane end into Strike Street, and made them "such

lok and keye as them luste to have made thereto atte their pleiser," whereby "full ungodely cariage" is also carried in and out, "as suspecious men and wymmen, mennys wyvis and servantes specially; who to whom and where hit sholde be write yf honeste were;" and that the noise was so great at night from a tavern called Bevys or Beaufitz Tavern, that the citizens could not sleep; that the Bishop by his officers hears actions in his courts which ought to be heard by the Mayor and Bailiffs; that wine was constantly sold in the Canons' houses contrary to the ordinance of the City and the King's "Cry;" and, worse than that, "ofte tymes hath he found corrupte wyn not hole for mannys body dampnabill and shold have be dampned and caste yn the canell," but which was carried to Topsham, reshipped to Bordeaux, "there to be put and melled with nywe wyn, as hit shall be well proved yf nede be." The Bishop, Dean, and Chapter answer the Mayor's Complaints denying the allegations contained in them, and saying that all the trouble cometh principally by the "wilfulle laboure of John Shillyngford nowe being Maier, in whoos tyme ever hast be grete trowbill to the grete hurte and losse of the saide Church and Citee." With respect to the cloister, they say that the doors were shut because "ungodly ruled peple, most custumabely yong peple of the saide comminalte within the saide cloistre, have exercised unlawful games, as the toppe-queke, penny-trykke, and most atte tenys, by the which the walles of the saide cloistre have been defowled and the glas wyndowes all to brost.' As to the disturbance at Bevys Tavern, they say that the tavern is in the Mayor's jurisdiction not theirs, and that it is his part, "if any suche misrule and bawdry be," if he be clear in his own person, to amend it, and that they know no such misruled person as "he that

is the cause and yever of ensample to all such mys-governance," meaning Shillingford—a retort which he appears to have taken very philosophically, as will be seen in his letters about it at page 16.

The Mayor rejoins to the Bishop's answers generally upholding his previous allegations, and saying, as to his living, that "God wote who ys clere of his living, quia nemo sine crimine vivit," and prays his accusers to see their own defaults: "and he that fyndeth himself clere, caste he the furst ston as yn the Gospell." After the Replications, Articles of Proof were put in by the Bishop to prove his title to his Fee, which were answered by the City. (See pp. 114-125.) The Bishop also put in Articles of Complaint which were answered by the City, replied to by the Bishop, and the Replications rejoined to by the City. Of these, unfortunately, only the Rejoinders are extant; they are printed at p. 126. It does not appear whether they were put in before or after those of the Mayor and Citizens.

It was while these Articles and Answers were being agreed upon that Shillingford wrote the remarkable letters and petition which form the first part of this volume.

They are amongst the earliest specimens of English private correspondence that exist, and may fairly be considered as amongst the most remarkable. The peculiarly minute manner in which Shillingford describes all his proceedings, giving the "*ipsissima verba*" of his conversations, and noting all small incidents of the interviews at which he was present, are sufficient alone to recommend them to the student. The life-like description of the scene at his meeting the Lord Chancellor "at the steire foot coming from the

Sterre Chamber, goyng into his barge" (p. 6), that of his presenting his candle on Candlemas Day (p. 37), might make fit subjects for an artist. The description of Shillingford's interview and conversation with the Chief Justice "after mete," and the learned manner in which he argued the case (pp. 9-11), will be found interesting, as well as his report of the hearing of the proceedings before the Chancellor and the Justices, where my Lord took his chair, and "both parties with their consell kneled before," when the Chancellor jokes Shillingford about his allegation in his Articles of Complaint that Vespasian besieged Exeter, and failed to take it, but afterwards was able to take Jerusalem, and there sold thirty Jew's heads for a penny. The Chancellor indeed seems to have been a man of a merry turn of mind, for on another occasion (p. 19) we find him talking of "matters of dysporte," and, when Shillingford presented him his candle on Candlemas Day, he received him "with laghyng chere." Shillingford appears throughout to have been in high favour with the Chancellor, and his treatment of him on all occasions shows a marked inclination towards the City's side of the question.

The Articles and Answers published in Part II. will be particularly interesting to the people of Exeter, and though, unhappily, imperfect, they show the nature of the quarrel, and give an odd illustration of the relations between the burgesses of the time and the Clergy and persons of higher social position. The reader will find, both in the Letters and the Articles, numerous passages which will afford an illustration most rarely to be met with of the inner life of the people at the period, and give a curious picture of what may be called a Town and Gown row of the fifteenth century.

The Philological student will find here much matter of instruction, especially in such of the papers as exist both in draft and fair copy, the various readings of which have been given in the foot-notes. From these he may trace the train of thought which was passing in the mind of the writer, and may observe the changes of the phrases which sprang from the changing ideas of the writer during the composition of his letters, as well as the modifications of expression frequently used.

Shillingford appears to have been wise in his generation to have prosecuted his suit through the stomach as well as through the ears of his judges: at p. 9 we find that, hearing the Chancellor had asked the Justice to dinner to talk over the case, "seyng he should have a dish of salt fish," Shillingford sent him "two stately tench, and two stately pickerells," which, he tells his fellows, "came in gode season, for the Duke of Buckingham and the Markis of Sowthfolke, and other Bysshoppes divers dined with my Lord that day." We see also at p. 23 how enraged he was at the delay made by one Germyn in sending some "buckhern" or pilchards, to be presented to the Chancellor, and Germyn's neglect has furnished us with a most remarkable passage to occur in such a correspondence.

The extracts from the Receiver's Accounts, printed in the Appendix, also show us that several other presents were given to the Chancellor and other persons, and they certainly prove that law-suits in the fifteenth century were at least as costly as they now are.

The Bishop's title to his fee would seem, from a perusal of the papers and copies of evidence produced by the Bishop, to have been a very uncertain one, and hence it doubtless was that the Bishop was induced to procure the Royal Charter referred to at p. 77,

granting him a view of frank pledge, and other liberties in the churchyard. This is the Charter which the Bishop covenants to get cancelled in the final agreement, No. XXXVIII., and it was doubtless argued that the King had no power to make such a grant, as it would be in derogation of his previous grant of jurisdiction to the City. The Mayor showed very long user of his jurisdiction by extracts from the City Court Rolls and other records, and argued that the Bishop had no court leet or jurisdiction, nor never had used such a jurisdiction, quoting Domesday in support of his argument. In fact there is no doubt that the Mayor had a good case, and hence his anxiety to have it tried at common law, where he would be free from all influence, and more likely to get an honest verdict than if his case were determined by higher judges, who were more likely to be influenced by interest than a jury.

Shillingford, the author of the bulk of these Papers, seems to have been a person of good repute and fame in Exeter at the time of his election, for it would appear that, after having served in various capacities in the City for some years, he was desirous of avoiding the office of Mayor but was compelled to take it by special mandate of the King. Thence we may infer that his reputation was more than local, or that, knowing the issue shortly to be tried between the City and the Church, pressure was put upon Shillingford to accept the Mayoralty in order to insure a good man being appointed to conduct the affairs of the City at so serious a crisis. He appears to have been a member of a very ancient family settled at the village of Shillingford a few miles from Exeter; but he certainly was a trader and had a dwelling-house at Exeter as well as at

Shillingford.* John Vowell, *alias* Hooker, the well-known editor of Holinshed's Chronicle, the Historian of Exeter, of Sir George Carew, &c., has the two following passages respecting Shillingford in his unpublished Memorials or Annals of the City of Exeter in the possession of the Corporation: "1444. The xxij yere of Kynge Henry the VIth. M^d. that John Shillingford being elected and chosen to be Mayer for the yere dyd refuse to be sworne and to take th'office upon him, whereupon advertysment was made unto the King and Counsell, and then a write under the Privie Seale was directed and sent to the sayde John requiringe and commaunding him upon the payne of one thowsand powndes to take the office upon him and to exequite the same: who accordinglye upon the Moneday next after the Feaste of St^t Valentyne, at too of the clocke of the afternone, came to the Gwyldhall, and there was

* I am indebted to Mr. Nichols for a note of a MS. sold by Kerslake at Bristol in 1862, written possibly by the father or some other relative of our author. The title of it is as follows:—

Kerslake's Catalogue, Bristol, 1862.

3511. *ANCIENT DEVON MANUSCRIPT*:—A thick volume written by John SHILLYNGFORD, Rector of Shillingford to 1392 & Rector of Ugborough, & Canon of Exeter. 4to. *in the original wood covers, with most of the deer-skin covering remaining.*

Contains, 1. *Memoriale Presbyterorum Parochialum*. (Instructions for Confessing Persons of the different callings and ranks of life; the various penances for every sin; Forms of Absolution and Restitution; with Resolutions of Cases, &c., as practised by the Parish Clergy in the Ancient Church of England.)

2. A vellum leaf with List of Saints, &c..—"v^{to} Jd⁹ februarij ob. dn's Joh'es Fowler." "Ane regina celor." a Hymn with Music.

3. Extracts from various authors, also Latin Rhymes.

4. Here bigynnyth ye lamentacon of our lady seynt marye. *A tract in English.*

5. Many other pieces. Rhymes, "a prest . . . counsel of schrifte . . . he ne oght it for to telle," & others in English and Latin.

6. *Viridarium super octo Psalmos*, & Exposition of the Creed.

"Anno dni mill'o ccc^o. Nonogesimo. t'tio. in festo sti michael
magister Johes Shillyngford Doctor in iure."

sworne; and, thoughe at the first wth an evell will, yet yn thende dyd performe it very well." He was Mayor also in 1446 and 1447, under which year we have in Hooker's MS.: "M^d. that this John Shillingford the Mayere was a very wyse man and lerned yn the Lawes of the Realme, bold and sturdie, and yn his governement very just and upright; and so well he dyrected the same to the benefite of the common welthe of this Citie as few before hym dyd it better: In his tyme was the longe and troblesome suete betwene Edmond Lacy the Bishop and the Deane and Chapter agaynst the Mayer and Communalte of this Citie concerninge theire lyberties, w^{ch} suete this Shillingfford dyd followe very carefully and diligently, and by the meanes thereof and also by reason of his acquentaunce wth the Lord Chancellor and the Counsell, his suetes were the better considered. The same at lengthe was referred to arbytrament, and then to be fynally and for evere ended. In this Mayer's tyme Exebrydge was yn greate ruyn and decaye, the stone-worke beinge muche foundred and the higher parte beinge all of tymber was consumed and worne out: And this man beinge of good credyte and acquaintance wth John Kempe then Archebisshop of Yorke and Cardynall, and one of the executors to Henry Beawford, Cardynall and Bisshop of Wynchester, who for his welthe was called the Riche Cardynall, to this John Kemp, the Archebosshop, John Shillingford made an earnest sute and supplication for some releffe and contrybution towards the new buyldinge of Exebridge, and was promysed the same; but, before the mony was payed, John Shillingford dyed, and the monye never received." (*See* p. 141.)

Hooker, who had carefully studied all these papers of Shillingford's, and whose handwriting appears on the indorsement of each, would seem to have had good reason for his praise of the sturdy and

manly character of our author. That he was a man of no small attainments in matters of learning fully appears from his letters, and the evident friendship shown him by the Chancellor would not have been given to any ordinary Mayor. His letters teem with illustrations of his sturdy spirit, but it is most fully shown in the passage erased, on second thoughts, from the end of his draft letter (No. VII. p. 24) to one of the Bishop's counsel, where he declares that he will not be put down by "noo grete dedes of malyce, dysclaundres, longage writyngs, ne setting up of bulles," &c., but will be "oo man and the same man that he has been." His witty upbraiding of one Germyn for his slothfulness in sending up some "bukhern," or fish, which was intended as a present for the Chancellor (p. 23), is perhaps the most curious passage in the volume; and his defence of his private conduct, against the libellous allegations of his opponents (p. 16), gives us a quaint picture of the sturdy Englishman trusting in his good cause, and yet not ashamed to own his faults. The libel in question, which was contained in the Bishop's Answers, gave great offence to the Chancellor, who, on hearing of it, took the Answer, and "rased hit as it plesed hym wth his owne handys," in the presence of the Bishop's counsel, who, says Shillingford, were "yvell pleased and payde therewith," as well they might be. The manner in which he gives the broadest of hints to his fellows at Exeter to send him money (p. 16) is very characteristic. Physically he must have been a strong and hearty man, for we find that he usually rode from Exeter to London in three or four days.

I regret that I have been unable, for want of leisure, to work out the history of this Correspondence, and those whom it mentions, more fully. That task I must leave to the future student of these

Papers. My thanks are due to the Mayor and Corporation of Exeter for their kindness in lending me the original MSS. and especially to the Town Clerk, Mr. W. Denis Moore, for many useful hints, and much kind assistance, both during this my pleasant task and my more laborious one of arranging the voluminous and magnificent archives of his City.

STUART A. MOORE.

Greenhithe, Kent, July 1871.

PART I.

LETTERS OF JOHN SHILLINGFORD.

LETTERS OF JOHN SHILLINGFORD.

I.

PETITION TO THE LORD CHANCELLOR.

The Mayor and Commonalty had a day to appear before the Chancellor, and have kept it according to the King's commandment, and also have put in articles, answers, and rejoinders, and done all things that they ought to do. Prays that the matter may be ended.^a

Unto the Ryght Reverend Fader yn God and Blessed Lord John Archebyssshop of Canterbury, Prymate and Chaunceller of Engeland.

Bysekyth yow full mykely John Shillyngford now beyng Mayer of the cyte of Exetre yn name of hymself as mayer and alle the hole comminalte of the seyde cyte, youre owne puple and true bedmen, and at alle tymes at youre commandement as most specyall lorde after the Kyng our soverayn lord, consydering the gode and gracyous lordship and endyfferency that they fynde yn yow that they have moste feyth hope and truste ther yn, and that y dar well seye by my trauthe; that hit please^b youre gode and gracyous lordship to be remembred of the grete mater^c bytwene the Ryght Reverend Fader yn God, and gode blessed man yn hymself,^d Edmund Byssshop of the Cathedrall Church of Excetre, the Deane and the Chapytre of the same church, and the mayer and the comminalte of the seyde cyte, the whiche mater came before yow and the two Chif Justises by the sywte ynstance and laboure of the seyde byssshop deane and

^a The draft of this petition exists; a collation of it is given in the following notes. It is there called B.

^b B. begins here with "Please hit yn to your right gode and gracious lordship."

^c mater—"mater hongyng yn debate." B.

^d hymself—"yf he most be," inserted in B.

chapitre yn to the highnesse of oure soverayne lorde the Kynge made; by whas ryght high and ferfull commandement by his ^a letters under his privy seell, we the mayer and comminalte hadde day to appere before yow, whiche day we kepte and apperyd and didde and demenyd us that day and evere sythenys yn fulfyllinge of the Kynges commandement, as we truste to God ye woll reporte us, and yet buth redy to do the same as we aughte to do. Nerthelez atte begynnyng of thys mater comyng to fore yow yn revelucion the ^b mayor and comminalte, as they darst, sywed unto you my lord chaunceller by supplycacion to have be discharged and dysmyssed as the law wolde, and have hadde the maters to have be determyned atte comyn law; bot when your gracyous lordship ^b so beyng enfourmed of the Kynges wyll, whiche was to us ryght a high and ferfull commandement, that ^c we darst so not, but wyth ryght gode wyll at alle tymes obeyed us ^c to abyde suche rule as the Kynge by his seyde letters apoynted us to; whereupon we sythenys wyth grete coste have labored and at alle tymes have be redy and yet buth to bryng yn dyvers evydencys and munimentys concernynge oure ryght title and clayme of franchises and libertees of the seyde cyte as the Kynges seyde commandement woll, ^d by the specyall sywte ynstance and laboure of the seyde bysshop, deane and chapytre. Also we have made and putte yn before your gode lordshipp articles, answers, rejoynders, ^e and alle other thyngs that we aughte to do.

^a his—omit, B.

^b the to lordship—We by your gracious lordship, B.

^c that to us—"we for drede levyng the comyn lawe and the benefice therof whiche we as be kinges true lege men buth an habited ther yn with right gode will obeyed and bounden us." B.

^d woll,—B ends as follows.—"as hit is comprehended and appereth yn oure articles and shorte entitelynges of oure evidences y put yn before your gode lordshippis, to the whiche we buth not yet answered all be hit that we have answered and buth redy to answer to alle and every their articulis of evidences whiche they have put yn. Also we have put yn before your gode lordship answeres to their articulis of compleyntes and rejoynders to the same, and yf any thyng lacke we buth redy to performe hit. And so we truste to God we have do all thyng that we aughte to do to prove openly and clerely oure entent the contrary of theire claymes." B.

^e For these "articles, answers, replications," see Part II. *post*.

And yf eny thyng lakke we both redy perfourme hit. So as we truste to God we have do and shall do all thyngs that longeth to oure part for to do, bysekyng yow of youre gode and gracyous lordshyp that the other party do the same for their part, or ellys to be concluded, and thus ye shall have the maters of bothe parties in knowliche, and the ryght openly to appere. And therapon that hit like your gode and gracyous lordship to make and end after the Kynges commandement, calling to you the two chefe justises; and yf eny party be found yn defeaute, so to be conceyved, ruled, and reported to the Kyng oure soverayn lorde, and that for the love of God and yn wey of charyte.^a

II.

SHILLINGFORD TO HIS FELLOWS AT EXETER. [Draft Letter.]

He left Exeter on Friday, and came to London on Tuesday at seven o'clock, and laboured to make answer to the articles, which he sends for approval.

Worthy sires y grete yow well alle; doying yow to understonde that y rode fro Excetre on Fryday and cam to London on Tywysday by tyme at vii atte cloke; and ther sithenys have full bisily labored to make an answeere to the articulys.^b The cause of so longe taryng yn makying of the answers hath be for right grete bysynes y^t Alisaunder Hody hath hadde aboute his awne maters;^c netheles by the avys of Alisaunder Hody and Dowrisshe and Roger Rawly, [they] beth made as may be yn so shorte tyme, trustyng to God that al the substance ys comprehended ther ynne, so that what tyme

^a This document is indorsed in a hand of Elizabeth's time—"Anno Regis Henrici Sexti vicesimo quarto."

^b articulys,—i.e. the Articles of Proof. See Part II.

^c maters—after this there was originally "w^t owte wham y cowde not well labore w^t oute much more tarynge."

hit is amended, corected and made by avys of counseyll to be right well; of the whiche answeris so shortely made y sende to yow ij. copies, oon to be send to the Recorder yn hast yf hit may be for shortenys of tyme, &c., that other copy to abide w^t yow, prayng yow Thomas Cook most specially w^t the lu tenaunt, callyng to yow William Noble, Coteler, Druell, and other wham ye seme is to be don, and that this answer be sadly over seyn; and yf eny thyng be ther yn to myche or to litell yn substance to sette the penne to sadly.^a This don y pray yow to calle be fore yow atte halle^b the substance of the comminalte, praynge every of tham yn my name and charging tham yn þe most streytest wyse yn the Kynges byhalf to come to fore yow yn haste for the tydyngs that y have sent home to yow; and that ye wysely declare to fore tham these answers; so that they sey manly yee and nay yn suche poyntes as yow thynke to be don, &c. and þ^t þey wyll abide by þ^e answers yn all wyse, and that labo^r and spekyng be before to that entent. This don y pray yow that y have a gode man sende to me yn hast.

III.

SHILLINGFORD TO HIS FELLOWS. [Draft Letter.] London,
Oct. 30th, 1447.

On 16th Oct. 1447, Richard Druell and Harry Dobyn, rode out of Exeter to London, to keep the appearance for the city in the Quinzaine S. Michael. The Mayor left Oct. 24, and reached Shaftesbury on Wednesday night. On Saturday 28 Oct. he came to London and saw the Lord Chancellor. He describes his reception and interview. On Sunday 29 Oct. he had another interview with the Chancellor, and also with the Chief Justice, and again with the Chancellor.

Memo^d that on Moneday next before the feste of Seynt Luke^c the yere of the regne of the kyng that now is xxvj (Henry VI.)

^a Originally "to sette to the penne sadly." ^b halle—"in my name," erased.

^c 16 Oct. 1447. N.B. This was written by Shillingford, as later on he takes up the first person.

Richard Druell, William Speere and Henry Dobyn w^t ham rode oute of Exceter to London-ward for nedes of the cite, that is to seye to kepe the dey of apparence atte xv. of Seynt Michall as the cite was bounde to, as hit appereth by a bounde condycionell, havynge w^t ham sufficient power and the comyn seell and xl s. of John Shillingford, Mayer, and xx s. of John Germyn, for their coustages; and so departed the seyde Monedey yerly. And as tochyng the seyde xl s. w^t xl s. more that the seyde John Mayer payed to Trevylian, he was payed ayen by the feloship of the collecte mony to the plee, &c. How the seyde Richard Druell and William Speere spedde when they came to London hit appereth yn a sedule by the sayde Richard Druell and William Speer therof made, remaynyng w^t the [seyde] Rychard Druell. Forthermore as tochyng the goynge of the seyde John Shillyngforde, mayer, he was all redy for to ride the seide Monedey: varians y moved bytwene hym and the seyde Richard Druell, nerthelez better accorde hadde by mene of Thomas Cook, Richard Druell w^t other held his wey, and the seyde mayer abode at home yn to a tuysday next after Seynt Luke is dey^a for setting of the kynges dyme, comyng of Trevylian, and other grete maters toching the cite, and yn especiall to have the feloship togeder, a sadde comunicacion to be had or his departyng, the whiche comunicacion myght not be had before Saterdey next after Seynt Luke is dey^b for this cause that the grete part of the feloship was at Calston is fayre, and thoo that war at home, as Upton, Cotelier and Pope, were syke on their beddes; and for alle these causes the mayer abode at home so longe, and all that tyme he kepte his iij. hors yn stabill every dey redy to ride to hym grete coste. The tuysday^c he rode and w^t hym William Hampton and John Fagot. On Wendysdey^d at nyght they came to Shestesbery and there mette w^t Richard Druell, whiche made reporte of his gode spede and grete laboure at London, as hit appereth yn his sayde remembrance, and that on the beste wyse. The Saterdey^e next ther after the mayer

^a 24 Oct. 1447. ^b 21 Oct. 1447. ^c 24 Oct. 1447. ^d 25 Oct. 1447. ^e 28 Oct. 1447.

came to Westminster sone apon ix. atte belle, and ther mette w^t my lorde Chaunceller atte brode dore a litell fro the steire fote comyng fro the Sterre chamber, y^a yn the courte and by the dore knellyng and salutyng hym yn the moste godely wyse that y cowde and recommended yn to his gode and gracious lordship my feloship and all the comminalte, his awne peeple and bedmen of the Cite of Exceter. He seyde to the mayer ij. tymes "Well come," and the iij^{de}. tyme "Right well come Mayer," and helde the mayer a grete while faste by the honde, and so went forth to his barge and w^t hym grete presse, lordis and other, &c. and yn especiall the tresorer of the kynges housholde, w^t wham he was at right grete pryvy communicacion. And therfor y, mayer, drowe me apart, and mette w^t hym at his goyng yn to his barge, and ther toke my leve of hym, seyyng these wordis, "My lord, y wolle awayte apon youre gode lordship and youre better leyser at another tyme." He seyde to me ayen, "Mayer, y pray yow hertely that ye do so, and that ye speke w^t the Chief Justyse and what tyme that ever he will y woll be all redy." And thus departed, &c. The Soneday^b abowte viij. atte klokke y came to Lambeth, and w^t me Dowrissch and Speere to myte and speke w^t my seyd lord. We mette and spake w^t hym yn the ynner chamber, he at that tyme beyng right bysy goyng yn to his closet. And w^t right gode longage and gode chere yn godely wyse excused hym that he myght not speke w^t ous atte that tyme for grete bysynes, and comaunded ous to come ayen the morun. Y, mayer, prayed hym of oo a worde at that tyme and no more, y seyyng that y was enfourmed that he was dysplesed of my late comyng, and yf he so were, y bysoghte hym to hire myne excuse grete. He seyde "Nay;" but that y was come yn right gode tyme and well come, and at his departyng yn to his closet he seide, "Mayer, wolde God ye hadde made a gode ende at home." And y seide, "Wolde God my lord that we so hadde, and God y take to recorde y have done my due dilygent part therto, and that yn tyme y truste to God ye shall well knowe; for y have right meny thyng to enfourme yow

^a Note that here Shillingford takes the first person.

^b 29 Oct. 1447.

of yf y hadde tyme." He seide " Well, mayer," and bade me come ayen that same dey afternone, and so departed, &c. Y was by the Styward and meny other of the housholde full fayre y bede to abide atte mete, ne never hadde better chere ^a of my lorde ne of the houshold then y hadde atte tyme. Netherlez y excused me and wold not abide as for tyme. And so went over the water to Temple to Bluet, &c. and so went w^t Bluet, Dowriss, Speere and y to the chief justice and comyned of meny thynges w^t hym. He is like as y conceve to have the grete rule yn this mater, for my lorde Chaunceller seide, as hit is aboveseid, that he wolde attende when the justyse wolde, the whiche y seide to the justyse. The justyse seyde he wold be aredy at his callyng. And as y conceve by dyvers wordes that they have comyned of a rule yn this mater; what ever hit be y can not wyte as yet. God eve ^b grace hit be gode, and so y truste to God that hit be. That afternone y went ayen to Lambeth^c to my lord after his commaundement aboveseid and when y come thider to hym yn to his ynnere chamber, there was myche peeples, lordes and other, my lord Tresorer, under Tresorer, the pryvy seel, land dyvers abbottes and pryours, and meny strangers aleyns of other londys. And then came yn the Duke of Bokyngham, and ther was grete bysynes at that tyme, hardly alle men were bede to avoyde that chamber saaf the lordes. Nerthelez y awayted my tyme and put me yn presse and went right to my lorde Chaunceller and seide, " My lorde y am come at youre commaundement, but y se youre grete bysynesse is suche that ye may not attende." He seide " Noo,^d by his traute and that y myght right well se." Y seide " Yee, and that y was sory and hadde pyty of his grete vexacion." He seide " Mayer, y moste to morun ride^e by tyme to the Kyng, and come ayen this wyke: ye most awayte apon my comyng, and then y woll speke w^t the justise and attende for yow, &c. Y seide, " My lorde, y woll do after youre commaundement," and prayed hym of hys gode and gracyous lordship of oo worde more, yf he were enfourmed

^a chere—chese MS.^c 29 Oct. 1447.^b eve—first written "yeve" and altered to "eve."^d Noo—first written "nay."^e right MS.

by worde or by wrytyng of eny thyng that y have do or seyde or governed me yn eny wyse at home sithen the last terme my departing fro hym other wyse then to his plesure and after his commaundement. He seyde right hertly "Nay," but that y hadde governed me at home yn the most best and godely wyse and therfor he oowde me grete thanke, and seide hertely that y sholde have Goddes blessing and his therfor, &c. And so departed, &c.

Nota that Druell and Speere is beyng afore dide gode, for they dide theire part yn the most best wyse.

IV.

SHILLINGFORD TO HIS FELLOWS. London, 2 Nov. 1447.

He has made a present of fish to the Chancellor. The cause was adjourned till Saturday.

He has spoken about it to the Justice, who urges him to make a composition, which Shillingford refuses to initiate. The cause was again adjourned till Monday, when it came before the Chancellor and the two Justices. He describes the proceedings minutely. On Tuesday All Hallows Eve he received the Answers to the City's Articles in which he is greatly libelled, desires money may be sent him, that the answers may be well understood and replied to, and that the Black Roll^a may be sent him.

[Worthy^b Sires, as yn the other letter &c. y grete yow w]el[le] alle. Yn the whiche letter y wrote to yow that y hadde a dey to

^a *Black Roll*.—This was a roll containing the Customs of the City of Exeter. It was considered of great authority and value, and on it the Mayors were sworn. It was lent to Sir William Cecil in the reign of Edward VI., and is stated by Izacke (*Memorials of Exeter*, p. 95) and by Oliver (*History of Exeter*, p. 309) never to have been returned. In a paper dated 1 March, 1552-3, entitled "Remembrances for the Parliament," occurs the following memorandum about it: "Item to speke to Mr. Cicell for the Blake rolle which Griffyn leyft in his custody." [Letters, &c. among the Archives of the Corporation, No. 31.] It was delivered to Grffin Amerideth 22 Dec. 1 Edw. VI. (Act Book, ii. p. 88), but it had found its way back to Exeter in the first year of James I., for there is in the Act Book of that year (vi. p. 59) an order "that the Blacke rolle shall be broght into the Council Chamber, and Mr. Chamberleyn shall write oute of the said roll into "some booke in the Chamber fitt for the sam, such speciall thynges therein contained "as shall be necessary, and he to be allowed for his peynes therein." Neither the copy nor the original can now be found.

^b The original of this letter and part of the draft are extant; the words in brackets are filled in from the draft, called B. for the purpose of collation.

appere before the lordis for [oure mater the Friday next ther after; and for as moche as] my lord Chaunceller bade the Justyse to dyner ^a ayenst that same day for [oure mater, seying that he sholde have a dys] of salt fische; y hiryng this, y didde as me thoght aughte to be done, and by avys [of the Justise and of oure counseill, and sende] thider that day ij. stately pikerellis and ij. stately tenchis, for the whiche my [lord Chaunceller cowde right grete thank]ys and made right moche therof hardely; for hit came yn gode seson,^b for my lordis [the Duke of Bokyngham, the Markis] of Southfolke and other, Bysshoppis divers dyned with my lord Chaunceller tha[t dey. But] as touchyng the laboure and spede of oure mater that day, hit was by my seide lorde ajorned over yn to the [morun] Saterdey for these causis that a grete disputacion was be fore my lorde yn his chapell at Lambeth for pre[chyng of] Bysshoppis. And the seide lordis that same Friday were there at diner.^c And the Justise came not there that day; but the same Friday after mete y was with the Justise by ^d longe tyme and yn gode leisure to comyne of oure mater. Y fynde hym a gode man and well willed yn oure right, and like to have the grete rule of the mater, as yn the other letter. And he bade me move of some gode meene to ende the mater. Y seide ayen, savyng his commaundement, y cowde no skylle theryn ne to speke ne move of menys,^e ne hit was not my part so to do; for hit wolde seme if y so didde, that y hadde doute of oure right, where y have right none, but we woll dwelle and abide thereapoun and go no ferther; but if eny man wolde move of eny meene, hit was my part to hire and so to reporte, &c. But furthermore y seide that fro ij. thyngis w^t oure gode will we wolde never departe; that the churche and cimiterie, as ^f that they calle synt Stevyn is fe, is parcel of the cite and ever hath be and shall be; and that we have a vyw and alle that to belongeth, and they right none, ne never hadde ne shall ^g have but

^a dyner—written "mete" in B. and altered.^b seson—ceson, B.^c originally "mete" in B. and altered.^d by—omit B.^e of menys—omit B.^f as—and, B.^g shall—sholde, B.

ever w^t ynne the jurisdiction and under the correccion and punysshment of the cite, &c. He seide that they claymed a viw and that they hadde used moche thyng, &c. and he seide hit was aunsion demene. And y seide nay, and proved hit by Domesday, and so were on grete argamentes by longe tyme, to longe to write: all hit was to tempte me w^t laghyng chere. Y seide they hadde no more but sympell Court Baron, if they so hadde. He seide that every man myght have of his awne tenantis and aske no man no leve, &c. Y seide how sholde they have more; they have no^a olde grauntis of kynges, ne clayme none allowance yn Eyere, ne instrument to do punysshment of that that longethe to a lete. He seide hit was a fe called of olde tyme. Y seide yee, as suche fees as beth ther on towne, and reherced hym of vij. and that alle were parcell of the cite: and among other y reherced hym of Seynt Nicholas fe. He seide lete the Bisshoppis fe be as Seynt Nicholas fe is. Y seide, if hit pleased hym, nay, hit myght not be so; for Seynt Nicholas fe, y called Haroldis fe, is^b graunt of olde kyngis and confirmaciouns, &c. He seide the Bisshop hadde the same. Y seide nay that I never knyw ne sigh,^c and if that they so hadde, lete hit be shewed and but hit be answered hit sholde ende the mater. Then he moved of divers menys and abstynance of arestis. Y seide when the last grete debate was of the suburbis w^t oute Este yeate, of whiche debate he was cause of an ende by a recompence, atte ende of whiche mater hit was desired for to have^d an abstynance, but none y graunted but under this fourme, that the Maier that tyme beyng, and every man that hadde be Maier and like to be Maier, promysed on his feith to forbere of arestis on the Church for certyn ouris, alle that they myght godely, and sithenes hadde they no cause resonable to complaine; and y seide this was a grete thyng as me thoght. He seide nay for that that sholde be attis tyme sholde be do by writyng for a perpetual pees. Then he asked of me of this mene; if we wolde absteyne us and forbere of arrestis of alle men of habite^e servantis familiars knawed without any fraude generally. Y seide, if hit

^a no—nother, B.^b is—and. B.^c sigh—segh. B.^d have—have hadde, B.^e habite—abyte, B.

pleased hym, nay; for hit was better the last terme before this, that we sholde forbere of arrestis but yn tyme of doying of divine servys of men of habite, servantis familiars and theire Baillyffs knawed, &c. and of alle other as on Sent Paull is Chirche at London. He seide hit was soth, and asked ayen if we wold^a forbere and absteine and be recompensed therfor, and we to have the viw and alle that longeth therto generally, as well on the fe as, &c. and so to make arrestis w^t ynne the fe, as y conceived hym, and to forbere alle other arrestis w^t ynne his tenementis of the seide fe and to be recompensed &c. and the Bisshop to have his courtis of his awne tenantis and to holde plees of gretter somme thenne^b Court Baron xl s. and spake of xl. marke. Upon this mene he stiked faste, and thoghte^c hit was resonable and ever asked of me divers tymes what y wolde seye therto, all as y conceive^d to tempte me, and to concente to a mene, &c. and then y seide "My lorde, if hit please you, ye shall have me excused to answeare," &c. for thogh me thoght that hit were a mene resonable y dar not sey yee, thogh y have power, for the mater toucheth a grete comminalte as well as me, and so that y dar not seye yn to tyme that y have spoke w^t my felowship at home: and y seide, "My lorde, for as moche "as y conceive right well that this mater, if hit ende attis tyme, hit is "like to ende by a mene, hit is my part to hire and to reporte, &c. but "be the mene never so resonable to conclude with yow, thogh y have "power ynogh, y beseche yow of youre gode lordship to have me "excused therof yn to tyme y have be at home with my felowship, "or of tham here with me vj. or vij. for other wyse woll y never conclude with my gode will," &c. He seide ayen, "Ye didde theron as "right a wise man," and so departyd, &c. The morun Saterday^e y came to Westminster to kepe my day as hit is abovesaid. Y spake with my lorde Chaunceller. He adjorned hit over yn to Soneday, and^f afterward fro Soneday^g yn to Moneday; for the Justises dynd with the Maier of London that Sonday. The Moneday^h y maier,

^a wold—wold so, B.^b thenne—þen, B.^c thoughte—þoughte, B. "th" is frequently "þ" in B, and is not noted after this.^d conceive—conceived, B.^e Saturday, 28 Oct. 1447.^f and so, B.^g Sunday, 29 Oct. 1447.^h Monday, 30 Oct. 1447.

Bluet, Hody, Dourissh, Germyn and Speere with me come to Lambeth to my lord, and ther was at that day atte dyner with my lord the ij. chif justises,^a and so we appered before them; and for oure party aduers Kys, Hengston, More, Wode and Wolston. My lord hym self furst moved the mater to the Chif Justises, so that the Chif Justise seide the mater stondeth thus: that as to the compleyntis of the Bisshop Deane and Chapitre, hit is answered, replyed and rejoynded, and as moche do therynne as may be do; and as tochyng the compleyntes of the maier and comminalte, the whiche them semeth grevous, beth not yet answered, and them semeth, &c. My lord Chauncellor therwith sodenly went right to the justises bothen, and called to hym Nicholas Ayssheton at that tyme beyng there, and leide theire iiij. heddis negh^b to gedder and comyned to geder right privyly a grete while, and alle as y conceive^c and as hit proved afterwardis that the answeris to oure articulis^d not to be spoke of. After that my lorde toke his cheire and the justises sate with hym, and bothe parties with theire consell kneled before. My lord asked how we last departed and therapoun stomped^e a grete while. My lord asked the bokis. He seide that his were on Kent is warde. He asked of oure party aduers theire bokis: they wolde be knawe of none yn no wyse. And y mayer, seide yes, with^f moche more therto, &c. and how my lordis commaundement was at London, and aggrementis at home yn the chaptry hous, that oure articulis sholde be answered or we proceded any ferder, y praynge my lorde that so, &c. My lord was loth therto and the justises bothe. My lorde seide furste merily^g of Vaspasianus.^h And y seide that thatⁱ was no mater of oure compleyntis, but y putte yn to prive^k what the cite was of olde tyme; and then my lord seide some what strangely and sharpely that oure articulis many were maters of noyse and desclaunder, and forto^l answer them hit wolde be cause of more

^a justises—judgys, B.^b negh—right negh, B.^c conceived, B.^d articulis—to be laid apart, *erased in B.* ^e “abode” erased, “stomped” inserted in B.^f with—put in place of “and” in B.^g merily—myrly, B.^h Vaspasianus—See the City's Articles, Part II.ⁱ that—hit, B.^k prove, B.^l for to—for, B.

grucchyng and yvell wyll. And y seide, "Yf eny suche be, lete tham be leide apart, and tho that beth substancialle grete and grevous to us, and somme cause and begynnyng of alle this debate, lete tham be so answered:" and y reherced iij. yn especiall, oone of the Dyme,^a another of the feloun that toke the bysshoppis fe, and afterwarde of the churche, and the^b coroners ylette, &c. and of the toure on the bisshoppis gardyn, &c. The chif justise seyde as tochyng the articulis of bothe parties, that there were maters amendis to be made to ayther party, and that were longe to do, and that hit myght be don as well after as before,^c and that he hadde sey somme of oure articulis ij. in especiall, oone of the Deme, another of the feloun above-seide; and seide that ussemmed that they were grevous to us. Whereapoun my lord spake of the bokis to us ayen; and y seide that my bokis were alle redy. And my lord bade to leye ham forth; and so we didde the articulis. They were but litell y radde ne take kepe to. Thenne as touchyng the deme,^d Hengston seide that he wolde right well that the deme were payed with us, as hit aughte to be, and hath be of olde tyme; but we didde not so, but sette hit and called none of the bysshoppis tenants to us. Y saide nay, and made a longe rehersall therof fro kyng Edwardis tyme ynto this dey, how and under what fourme hit was don of olde tyme, how sithenes, and how now, and how late they sette with ynne tham^e self, and kept the mony and yet kepeth, and that sholde be well y proved. My lorde seide^f that as touchyng the settyng we were alle most accordyd theryn. Then seide Hengston lightly as touchyng settinge and keyng of the mony of the deme, hit shall be sone answered; he menyng of Upton is tyme y wote right well, as y seide to yow at home. Y seyde to Hengston as lightly ayen, "As sone hit sholde be repplyed and truly with the grace of god." Then my lord asked furste of that other party if they hadde full auctorite and power and wolde consente to menys: and they seide anone with

^a Dyme—the "decima" or king's tenth?^b the—of the, B.^c as to before—inserted on a rider in B.^d Whereapoun to deme—inserted in a rider in B. but much decayed.^e tham—ham, B.^f seide—seide hym thoghte, B.

gode ^a wille, yee for theire part. My lorde asked of me, ^b Maier, if we wolde the same. Y seide as touchyng the power we hadde sufficient and y nogh; as touchyng to menys, y bisoghte hym of his lordship that y myght go apart to comyne with my felowship and oure conseil there at that tyme; and so y didde, and yeaf an answer. Hody hadde the wordis of power as above; and as touchyng the menys with this condicion that oure articulis were answered, that we wolde aggre to suche menys as they lordis wolde rule us to. Then hit was no more at that tyme but the ^c articulis most be answered; and as loth as they were to answer, and hadde no bokis as hit is abovesayde. Then they agreed ham to bryng yn the answer the morun. Y seide they ^d hadde seide dyvers tymes that they hadde olde charters, evidences, and munymentis to ende the mater; and y seide if they so hadde to bryng ham yn, and but they were answered to ende, &c. Hengston seide moche ^e and strongly because y seide they hadde suche charters. Y seide yee, and avowed hit well they seide so. He seide that they hadde olde recordis, &c. and y saide as above. ^f Hengston honged sore to have a lete and a grete courte, and y traversed hym ever, and seide to hym moche thyng, and yn especiall that they never hadde instrument, and reherced what that belongeth ^g to a lete. Hengston seide but litell therto, but made wyse as thogh hit were yes; but Wode seide that they hadde olde wrytinge to have hit, and spake no more at all that tyme. Hengston seide openly that Radeford and he hadde communicacion at home of this mater, and were well negh accorded; and my lord seide, "Wolde god hit hadde be so," and yet "Wolde hit were so, for oure discharge." Y, Mayer, seide y knywe well and was spoke to of suche a communicacion; but what the privyte and the menyng was y myghte not knowe, and yf y hadde hit sholde have be never the werce but the better; and so we departed, stondyng a

^a gode—right gode, B.

^b me—put in place of "us" in B.

^c the—þ^t þe, B.

^d they—þ^t þey, B.

^e moche and strongly—myche and strangely, B.

^f above—And here apon we hadde dey to receyve oure articles þe morn and so departed, erased in B.

^g belongeth—longeth, B.

fer fro my lorde, and he asked wyne and sende me his awne cuppe and to no moo. Y wende right to my lord ayen before them alle, and spake with my lorde prively a grete whiles of divers maters, and among other of thys blynde entrety that Hengston spake of, y seyng to my lorde verily that this blynde entrety growith of my lorde of Excetre as y supposed.^a Wherfor and for as moche as Hengston seide yn his presence that Radeforde and he were negh accorded: y^b bysoghte my lorde, as me thoght his part was, and to ende the mater the rather to knowe of the comunicacion, &c. My lorde seide y moved hym right well and sholde have goddis blessing and his, and seide he wolde do so, &c. and so we toke oure leve and departed fro my lord and my lordis alle. My lord at this tyme didde me moche worsshyp, and openly yn the comunicacion aboveseyde commended me for my gode rule at home, and yn especiall for the grete favo^r that y have do to men of the church, hongyng this debate; and furthermore he of his awne mocion yn the comunicacion abovesaid spake openly of the letter that he send home to the bysshop by me, seiying these wordes, “Maier, apon the comunicacion that y hadde with yow here y send home a letter by yow to my brother of Excetre, the whiche y hoped sholde have do moche gode and cause of spede the rather ende^c of the mater.” Y seide, “My lorde,^d that is true, and y have do my due diligent part therto, after youre commaundement by my traute.” Y seyde more to Kys these wordis, “Kis, ye seide to me at home that y didde and seide moche thyng more there then my lorddis commaundement was, sey ye here be fore my lorde what hit was; and y truste to God and my lorde is gode lordship that my lord will avowe me on alle thyng that y didde and seide.” My lorde sate stille a while, and Kys knelyng spake never a word, and thus passed over. Hengston among the maters abovesayd seyde moche more than is above writyn as touchyng the towre that stont on the bysshoppis gardyn, seiying that that towre stode upon the bisshoppis ground, and the bisshop

^a as y supposed—not in B.^b The rest of B. is much decayed.^c the rather ende—not in B.^d B. ends here abruptly.

sum tyme hadde his prison yn that towre, and that we repaired hit never, as is write on oure articulis: atte last hit was seide by their party that parcell of the towre stode upon the bisshoppis grounde as hit appereth openly there; they menyng by a wall and kernellis stondynge withoute the towre and thiknys of the towne walle, toward the bisshoppis gardyn and annexed to the towre and towne wallis, &c.

The morun tuysday al Halwyn yeven^a y receyved the answeris to oure articulis at Westminster of the whiche y sende yow a true copy, yn the whiche articulis as hit appereth they have spatte out the uttmyst and worste venym that they cowde seye or thynke by me; y blessed be God hit is nother felony, ne treson, ne grete trespas, and thogh hit hadde be, so they wolde have don, and werce yf they cowde: but as for trawthe of the mater that tocheth me, meny worthy man stondeth on the same cas and have do moche werce than ever y didde, thogh that be to me none excuse. As touchyng the grete venym that they menyth of my lyvyng, y may and purpose be at my purge, as y may right well apou my sawle of alle wymmen alyve excepte oone, and of hire righte a grete while; therfor y take right noght by and sey sadly *si recte vivas*, &c. and am right mery and fare right well, ever thankyng God and myn awne purse. And y lyng on my bedde atte writyng of this right yerly, myrly syngyng a myry song, and that ys this, Come no more at oure hous, come, come, come. Y woll not dye nor for sorowe ne for anger, but be myry and fare right well, while y have mony; but that ys and like to be scarce with me, considerynge the bisynesse and coste that y have hadde: and like to have: and yet y hadde with me xx li. and more by my trauthe; wherof of trauthe not right moche y spende yet, but like &c. Constre ye what ye will. Item, Thomas Montagew sholde sende me xj li. and odde mony as he wote well and can telle yowe: and y supposed that John Germyn sholde^b have brought to me all most x li. all this of myne awne gode; wherof

^a 31 Oct. 1447.

^b sholde—originally wolde altered to sholde.

cometh to me no peny. Wherfor y sende home to yow attis tyme William Hampton, berer of this writyng, for this cause most specially that ye, how that ever ye do, sende me xx li. yn hast, as ye wolle the spede of youre mater and welfare of the cite, y not shamed but pleased attis tyme; and that ye faille yn no wyse, mervaillyng moche, for as moche as y departed fro yow with oute eny mony of youris, that ye ne hadde sende to me sithenese some mony by Germyn, Kyrton, or some other man, &c.

Forthermore as tochyng the seide answeris, y pray yow that they be well redely avysely and distinctly over radde and the substance of them right well understonde, and most speciall the furste articule, the whiche ys most and right harde to answer, and that oure Recorder have knoweliche of all thyng that y have write home yf he be here as y suppose attis tyme, and but yf he be, to sende home to hym in hast; so that y have youre conceyt witte and entente to repplye to the seide answeris, and to the furste most specyally, whiche is derke to my conceyte as yet; but y truste to God hit shall be right well with youre gode enformacion and helpe therto: to whiche entent y sende yow a rolle yn the whiche is conteyned copies of Domus Dey, copy of Eyris, of charters and other thynges that is necessary to be seye yn makyng of thes repplicacions. Y can no more attis tyme, but y pray you to be not wery to over rede hire and se all the writyng that y have sende home to yow attis tyme; and yf ye be, no mervail thogh y be wery, &c. and God be w^t yow. y-written at London yn alle Sawlyn day^a afore day yn hast. Item, y pray you to sende me the blak rolle whiche shall be delyvered to yow by Thomas Montegow, by William Hampton berer of this writyng, the which is a man true ynogh as y truste and suppose and hath borwys for his office, lete them be pryvy to, yf yow,^b that hit is to be do.

Indorsed. A letter of certificatt from John Shillingford, Maior, of his doinges at London.

^a Nov. 2, 1447.

^b yf yow, *sic* MS.—? yf yow like.

V.

SHILLINGFORD TO HIS FELLOWS. London, Sat. 11 Nov. 1447.

[Draft Letter.]

He was at Lambeth with the Chancellor on Sunday the 5 Nov. 1447, and spoke with him about the Answers to the City's Articles. On Monday in the Exchequer Chamber the Chancellor amended the answers himself. On Tuesday the cause came on again, and he describes the proceedings. The other party are to shew their evidences on Sunday next.

I grete you well alle, doying yow to understonde that y am at London as y have write to yow afore this tyme, &c. and as touchyng the laboure and spede of oure comyn mater sithen y wrote last to yow, y was at Lambeth with my lorde on Sondag next after alle Halwyn^a day and spake with hym at gode leisure and yn gode tyme and well disposed. Among other thynges y asked at dey and how we sholde be demened to brynge yn oure repplications, he seyde "Come the morun Moneday^b the love of god," Y seyde the tyme was to shorte, and prayed hym of Wendysdey; y enfourmed hym [of t]he grete malice venym that they have spatte to me yn theire answeris as hit appereth yn a copy that y sende to yow of. My lorde seide, "Alagge alagge, why wolde they do so? y woll seye right sharpely to ham therfor and y nogh," and commaunded me to bryng the answeris to hym the morun at Westminster, and that he wolde amende hit w^t his awne hondis, &c. and so y departed, and mette w^t hym that morun yn the escheco^r chamber, and as sone as ever he saw me a ferre, he called me to hym and asked the seide answer, and he rased hit as hit plesed hym w^t his owne handys, oure party advers w^t theire counsell beyng present and yvell plesed and payde therwith, and my lorde was to tham right sadde ne wolde hire ham speke no worde, but spake to the chif Justyse Fortescu and prayed hym to be w^t hym that morun atte mete to comyne of oure mater, and yeaf no dey to that other

^a 5 Nov. 1447.^b 6 Nov. 1447.

party ne to me to be there and so departed. The morun tuisday^a y came to my lorde[at Westminster ayen and asked yf he wolde commaunde me eny thyng to do that dey, he seide yee, to be w^t hym that after mete to comyne as hit is abovesaide. Y seide, "My "lorde oure repplications beth not yet alle redy ne mygh not be for "shortenesse of tyme thogh y sholde dye therfor, and yet y hadde "waked nyghte and dey." He seide hit was right yvell y do yf hit myght otherwise have be, and commaunded me not fealle but kepe my dey, that after mete: and so y didde and with me Dourissh and Speare, and for that other party Kys, Hengston, More, Wode, and Orcharde, a greet barre. Furste my lorde asked how we departed laste. Hit was seyde apoune the answeys of the Bysshop, Deane, and Chapitre, put yn and we to replye. Y seyde, "My lorde, oure "repplications beth not yet fully redy bot anon to oon^b and that oon "almost as hit appereth here aredy to shewe." My lorde and the Justyse seyde no force to shewe and ryght meny resons why. Y seyde yes, and made resons sympelly as y cowde; so hit was graunted that y sholde bryng ham yn, &c. My lorde seyde that he wolde sende for the bokys that y have write to yow of yn Kent ys warde: then he bade that other party goo a part and comyned w^t my seyde felowship and me nigh byan oure, and he was right mery and comyned meny dyvers maters bothe of disporte and sadnesse: furste of dysporte of Bysshop Stafford ys tyme when my lord was there,^c and among other y spake to my lorde yn dysporte of the arest of Sr Thomas Gogh and of Hugh Luccays atte Denys place, and what favo^r y had do and had no^t thanke and of other thyngys as come yn to my mynde. ^d He cowde^{telle} us how Germyn toke the churche pe day of eleccion, &c. Y seide . . . therof a disporte, and that Germyn putte his fynger yn his ye and wepte, also y t . . . e most sadly wyse. Atte last fyll to mater of sadnesse, and they spake of Goddys hous Seynt Peter ys churche of Excetre, and my lorde spake of his house, his halle, and the Justyse the same, how

^a Tuesday, 7 Nov. 1447.^b Originally "alle most oone."^c The Chancellor was at one time a dignitary of the Cathedral of Exeter.^d the *to* wyse—added in the margin and then struck out.

loth they wolde be to make arestys theryn, and seyde that seynt Peter ys church was Goddis hous and his halle, &c. and made meny resons to bryng yn abstinence of arestys. They were answered as God wolde geve us grace. Douryssh^a hadde well his part; nerthelez all the longage bot hit were the lesse was by twene my lorde Chaunceller the Justyse and me.^a My lorde Chaunceller wolde that y sholde myve of meny. Y seyde, savyng his commaundement, that y cowde not theryn; hit was not my part: and then he hym self and the Justyse moved of meny dyvers, and atte the laste my lorde moved of this mene to forbere arestys of alle men of habyte and theyre servantys, famylyars, and bailliffs, withynne the church and cimetere at alle tymes, &c. Douryssh acquytted hym well, and leyde meny myschyffys, &c. Y seyde therto also as y cowde sympelly, and then y reherced to hym of the last accorde of the suberbys withoute Esteycate and what abstynance was of courtesy y graunted at that tyme, &c. y conceyved that my lorde wolde move of no nyre mene and then y seyde to hym thus: "My lorde, y beseke you of youre gode lordship to have me excu to move or aggre to eny mene y have speke with my felowship at home or they here with me." Tham thoghte y seyde reso- hadde right moche longage of the Bysshoppis fe, and specyally of the vyw and of the Bysshoppis Court what court he hadde and sholde have: here of was right moche longage^b and reson prove and contra. Y hilde myn awne. Y hadde maters y nogh, &c. My seyde lordys bothe seyde that thay hadde olde recordys and evidences to prove their content. My lord hym self spake derkely of right olde charters the whiche y as ever have supposed right well; so y said, "My lorde, y have hurde of suche thyngis, bot y sawe hit never, praying yow yf eny suche thyng be, that they may be shewed and seyn, and bot yf hit may be answered ellys so to make an ende," &c. My lorde conjoured me to make an ende of this mater and yf y so hadde y sholde be cronycd. Y seyde, "My lorde, y have don my

^a Douryssh to me—struck out, and then "stet" put over it; "stet" also has been struck out.

^b longage—first written "ado and reson."

part as y truste to God ye shall knawe and wolle reporte as fer as y can may and thar do after youre commaundement." Y conjoured my lorde ayen and seyde these wordys, " My lorde, ye beth lorde under hevyn, " excepte the kyng, that the Cite of Excetre have most feyth hope " and truste theryn, and have fulle power to make an ende, bysekyng " you and as y dar requyre yow, se the ryght and lete hit never passe " yo^r hondes bot so to make an ende," and made us go a part and called that other party. They were with hym bote ryght a litell while and called us yn ayen, and bade that other go apart, and seyde to us that they hadde comyned wyth that other party, and they seyn moche that they woll abyde apoun theire right, and shewe theire forseyde evydence to prove hit. Y seyde, " My lorde," as y have aboveseyde, &c. My lorde seyde, " Mayer, ye seye right well, and so we woll do and procede," and so we all departed *sine die*, &c. Bot sythenys y have be w^t my lorde dyvers tymes and now have a day, and that other party to be before my seide lordis the morun Sonedey apoun the makynge of this letter;^a they to shewe ther evydences as y suppose. What they meneth that they woll abyde apoun theire right and shew theire evydence constre ye. Gode and gentell longage and shere y have of that other party, and that they will abyde the rule of the lordys, &c. and that the lordys purpose to make an ende, &c. bote y fere therof bot the courte be so hard against us, therfor to speke wyth the nywe shyrff y sette hit grete wysedome so hit be by soche a mene as be knowe noght fro us for drede.^b Certe hit be seyde that that ys the cause of the breche, &c. for they have labored strongly and sayeth nay, &c.

^a Letter written Sat. 11 Nov. 1447.

^b derde, MS.

VI.

SHILLINGFORD TO HIS FELLOWS. London ? Nov. or Dec. 1447.
(Draft Letter.)

Dowrish and Speere saw the Chancellor on the Sunday before his arrival. New bonds are ordered to be sealed to entreat for a composition till Candelmass. Dowrish and Speere were before the Chancellor on Monday; the cause was postponed. Shillingford arrived in London on Tuesday, he has not seen the Chancellor yet because he waits for the "buckhorn"^a which was to be presented. Upbraids one Germyn for his negligence in not sending it.

Worthy siris y grete yow well alle; doying you to understonde as touchyng the laboure and spede of oure mater that Dourissh and Speere hadde be w^t my lord on Soneday next before my comyng and hadde ther right gode chere of my lord and other and right . .

. . . so spedde there yn the beste wyse at p^t tyme as the mater stondeth, and yn especyall as tochyng the commaundement the whiche y reported at home, nywe bondis to be made and enseled at home to entrete yn to Candel masse and lenger yf þe parties myght so accorde to breve the mater to the lordis hondis; and that we myght not accorde therof to be remytted to the lordes and they so to make an ende; of the whiche commaundement my lorde remembred hym right well therof as well as the Chif Justise, and my lord avowed me well therof and was right well pleased of^b all my laboure at home y-reported to hym by Thomas Dourissh and Speere yn the beste wyse, my lorde seyng of me that y was never worthy to be called, that y was a godeman wyse and well do my part, after his commaundement attis tyme and shold have goddes blessing and his, and whan that ever y come to be well come to hym, as the seide Dourissh and Speere reported to me; and also they spake to hym of a sute like to be take by þe B. D. and C. &c. My lord answered bot litell therto at that tyme, bot bade ham to awayte apoun hym that morun at Westminster and so departed. Ayenst whiche tyme the seide Dourissh and Speere right wysely ordeyned counsell Yong

^a buckhorn.— This appears to have been a kind of fish. In the Receiver's Account it is stated that 400 of bukhorn was bought to be given to the Chancellor. In the Household Account of the Countess of Devon (State Papers, Henry VIII. iii. p. 1403) amongst other fish there is an item for "6254 buckernes, 35s. 10d."

^b of—first written "with."

and Beef, and so came yn before my lord Chaunceller the morun Moneday, and nywe moved hym w^t moche longage as tochyng the sute above-seide. My lorde seyde he myght not werne tham þe comyn lawe, bot he seide right feith fully and sadly he wolde consell ham the contrary and commaunded to awayte apon hym and þe Chif Justise beyng togeder. A rule to be sette, &c. And so departed and stont yet.

Furthermore y do you to understonde y come to London on tuesday, so þt y wolde have be w^t my lord þt same dey tymely y nogh afore mete; bot I taried and yet tary because of þe buk horn þt was boght or y went and forth before at Stoklond or y departed fro home as Germyn, that never legh, tolde to me verily w^t grete othis; the whiche came not yet, me to right grete anger and discomfort by my traethe, and the cause þ^t hit was boght for myche like to be lost; for hit hadde be a gode mene and order after spekyng and communication above-seid, the buk horn to have be presented, and y to have come there after, &c. and so to have sped moche the better : but now hit is like to faille to hyndryng. And so y have helpe ynogh abakward and but ^a litell forthward as hit at alle tyme proveth and appereth. Y prayyou specially to thanke moche t . . .
 . . . gentill Germyn *Quasi duceret euge euge Germyn* of his governaunce attis tyme, *id male gaude* Germyn. Nothelez [I know] right well he woll ascuse hym right well by thike fals harlot his carioure, and the carioure yn like wyse by the seide Germyn, and so I may say *ait latro ad latronem* and *inter scabella duo anus labitur humo*. Cristes curse have they bothe, and seye ye amen *non sine merito*, and bot ye dar sey so, thynke so, thynke so. Also y charge Germyn under rule and commaundement of J. Coteler my lutenant, þ^t he do that he can do, braule, bragge and brace, lye and swere well to, and yn especiall þ^t þe stretes be right clene and speciale the litell lane yn the bak side be nethe the flessch folde yeate, for ther lieth many oxen hedes and bonys that they be removed away for the nonys ayenst my comyng as sone as y may by cokkis bonys.^b

^a but litell—originally “no thing.”

^b cokkis bonys—i. e. God’s bones or God’s wounds (?); Gogs wounds. See “Taming the Shrew,” Act iii. scene ii.

VII.

SHILLINGFORD TO ONE OF THE BISHOP'S COUNSEL.

14 Dec. 1447. (Draft Letter.)

Concerning the entreaty to be had at home under the new bonds—prays him to fix place, day, and time for the consideration of the matter, and expresses his desire for a “good end”—a curious passage at the end has been struck out. See the note.

Right worshipfull sir, y recommaunde me to yow. Like^a yow to be remembred of the speche and comunicacion yt was late betwene yow and me at Westminster before my lorde Chif Justise and also what he seide and how that y conjured yow and ye conjured me ayen, and alle to the best entent to alle parties as y hope to God, trustyng that ye both and woll be the same man as there, or better yf ye better may, and y the same after my sympell power by my trauthe : apon the whiche comunicacion as y seide to yow that y wolde, and as ye seide my part was to spake with my lord Chaunceller, &c. and afterward Maister Rogger Kys and y were before my two seid lordis to knowe of a rule and a departyng home, &c. Whas rule and commaundement as y conceived was this, to make and ensele nywe bondis yn to Candelmasse next comyng, and lenger yf the parties wolde at oure comyng home; and yn the mene tyme to entrete at home to shorte the mater to their hondes; and that we myght not accorde therof, they to make an ende, the whiche hath ever be my will and laboure y take God to wytnesse, and yet shall be. Wherapon y consideryng the rule and commaundement of the lordes and the entent of pe comunicacion betwene yow and me abovesaide, y sende to yow at this tyme praying yow to considre the same, with more that hit is bot a short and a bysy tyme consyderyng the grete parties and maters, with the circumstance and grete and longe comunicacion that is like to be. Wherfor y pray yow to prefixe place day and tyme as ye woll resonabilly, and that as sone as ye may godely, the rather the levere,^b and ye shall be all redy and wyth alle

^a Like—twice altered, and put in place of “praying.”

^b the rather the levere; *i.e.* the sooner the better.

thoo that longeth to be there, for oure party un failed; so that noo cause of taryng shallbe founde yn oure party with the grace of God: praying yow the same, &c. for ye^a may fully conceve þt my felows and y wold fayne have a gode ende and pees, prayng you to applie yo^r god will and favo^r to the same. And how hit may please you to do in þ^s, y pray you to s[ende] hit me yn writyng and alle shall be well w^t þ^e grace of God, whiche have yow yn kepyng. Amen. Writen at Exeter the thursday (next) after Sent Lucie. [Dec. 14, 1447.]

VIII.

SHILLINGFORD TO DOWRISH.^b Exeter, Wednesday, Eve of St. Thomas the Apostle, Dec. 20, 1447.

Requēsting him to help to make a good end of the matter; with him are Radford and Hengston and William Beef.

Right Worshipfull ser, y recommaunde me un to yow; doying yow to understonde that as touchyng the grete maters yn debate by twene my lord the Bysshop of Excetre the Deane and the Chapiter ther, and the Maier and Comminalte of the seide Cite, the whiche maters at London this last term passed, by comaundement of the lordis ys put yn rule as hit appereth by a letter the whiche y have sende to William Hengston, wherof y sende to yow a copy; as well as of dyvers other bullis of supplicacions by the seide Maier and

^a In place of the words from "ye" to the end he had written originally as follows, but substituted the other passage afterwards: "We wolde right fayne have an ende, ye ne noo man conceyving for noo drede ne dowte that we have yn oure right, ne y John Shillyng, for noo drede of grete wordes of malyce, disclaundres, longage, writynges, ne setting up of bullis to that entent to rebuke me and to make me dulle to labors for the right that y am sworne to, for truly y woll not be so rebuked ne y dilled, but the more boldeliere and shapely after my sympell powere as the lawe woll to do my part as y am sworn to; ne ever the werce willed to alle gode communicacion and resonable meene to make a gode ende, and thus y desire to be knowed and reported, for with the grace of god y woll be oo man, and the same man y have be."

^b Dowrish appears to have been one of the City's counsel.

Comminalte y putte yn be fore the seide lordis. The whiche copies all y pray yow avysely to over rede and well understonde after the commaundement and rule abovesaide. And after the gode will, prayer, fourme, effecte, desire, and entent of the seide Maier and Comminalte comprehended yn the seide letter and bullis, to applie your gode will and to do your tendre and diligent labour to helpe to make a gode ende, and that all my feloship and y pray yow right hertly. And yn especyall that ye be oon of thoo pryncipall endifferently to entrete ther ynne that most gode may do ther yn, and with yow Radeforde and Hengston, and so that William Beef be oon with yow by your speciall meene to be brogh yn, for pleasur and the better to ende the mater hardly with the grace of God. Ye may constre moche thyng &c. bot this abovesaide thus don, y dowte noght, bot truste to God verily to have a gode ende and pees with the grace of God, whiche have yow ynh is kepyng. Amen. Writen at Excetre on Wendisdey yn the vigill of Seynt Thomas the Apostell.

Indorsed. A letter of advertysmentes.

IX.

SHILLINGFORD TO THE BISHOP. Exeter, 24 Dec. 1447.

[Draft Letter.]

The Lords before whom the matter is "in compremys" have postponed it until Candelmass with a command that the parties should endeavour to agree at home, as appears by a letter lately sent by the Chancellor to the Bisshop. The Mayor and Comonalty are ready to agree. The City did not wish to dispute the Bishop's right to the Fee. The Church and Cemetery are distinct from the Fee and not the same thing as it is now desired to be set up this last term contrary to the Bishop's first answer to the City's articles. Begs he will endeavour to settle the affair according to the effect of divers bulls of supplications put in by the Mayor to the Lords, of which he sends copies.

Right Worshipfull and Reverend Fader yn God and gode lorde, y recommaunde me un to your right gode and gracyous lordship. Please hit your gode and gracious lordship to have, yn knowliche

as tochyng the grete maters yn variance betwene yo^r right gode and gracious lordship the Deane and Chapiter of yo^r Cathedrall Church of the Cite of Exceter and the Maier and the Comminalte of the seide Cite, the which maters by yo^r menys so labored un to the highnesse of our soverayn lorde the Kyng was broght yn and so by longe tyme hath honged and yet hongeth yn compremys be fore the lordis. The whiche by the seide lordis this last terme as y conceyved thus ruled, and commaunded nywe bondis to be made and enseled to entrete yn to Candelmasse and lenger yf the parties myght so aggre and accorde at their comyng home; and yn the mene tyme to entrete at home to shorte the mater to their hondis, and that we myght not accorde therof they to make an ende; and that by longe tyme hath be my lorde Chauncelleris commaundement as y knawe right well, and as hit proveth and appereth by a letter by hym late to yow sende, the whiche letter he this terme avowed well for myn excuse your conseil beyng present, and as y seid yn yo^r presence yn the Chapetry hous of yo^r Cathedrall Church of Excetre. The whiche rule and commaundement the seid Maier and Comminalte fully aggreed ham for their part and were all redy to fulfille hit at London and so both yet her at home, and shall be yn all wyse, or eny other resonable entrety that may be moved or stured or by yow commaunded, so hit be knowed to the pleasure of my seid lords abovesaid, praying yow and yo^r parties and yow most specially of your gode and gracious lordship to yeve your gode will and applie yo^r favo^r to conforme to the same; considryng verily that we wold right fayne have a gode ende with yow as lawe, right, reson, and gode consience requiren, with all favo^r desired resonable that by our part may be shewed or don, and to that is called your fe, most specially bysekyng yo^r gode and gracious lordship to be amyttd therto, for hit was never our will to putte that yn debate ne to dispute the right therof, but as we have be forced therto by yo^r Articulis of Complayntes and other actes of the same, or elles to lese our rig(ht), &c. Also hit was never known ne seide bot that the seide fe was a thyng by him self, and the seide Church and Cimiter

another thyng by him self, as ye have supposed and claymed and allegged by two the furst divers articulis therof made yn your furst articulis of compleyns, withoute that yo^r Cathedrall Churche and Cimiterie be parcell of the seid fe or annexed therto, as hit is and shall be well proved by evident writyng, witnesse, and other wyse. But now late this last terme ye have supposed and leyde the seid fee Churche and Cimiterie to be conjoynly contrary to yo^r furst clayme, as hit openly appereth yn your furst articulis of yo^r provys to have a colo^r to the seide Churche and Cimiterie by the seide fe, &c., as hit is right well conceyved, and therto ye have aleyed for yo^r prove the boke of domysdey, the whiche is no prove, and that we have and shall comytte yn to the grete wysedomys of the lords abovseid. But we truste to God, savyng yo^r gode lordshippe, the same boke shall prove our entent as hit is proved and pleynly appereth yn our furst answer to the seide same articule of y^r provys. The whiche with meny other thyngs shall be redy to be shewed before yo^r gode lordships yf hit please you. But what conclusion that ever ther folwe we trustyng to God to have yo^r gode lordship, we woll be demened resonably with all favo^r to the pleasur of your gode lordship as hit is abovesaid, and of the seid fe most specially, ever bese-kyng you and as we dar requyr you that ye woll applie yo^r blessed favo^r and benyvolence to the gode ende and appeasyng of this mater, after the will, desir, forme, effecte and entente of dyvers bullis of supplicacons by us y put and to be put yn be fore the lordes of this mater, of the whiche bullis I sende to you copies by the berers of this my pore writyng, whiche copies please hit yo^r gode and gracious lordship at yo^r leysure to over se and fully conceyve, the rather to have a gode ende as we truste to God : and like you to knowe that y have write to Copleston and Hengeston and y spoke with Radeford of this maters for myn excscuse to be reported above be fore the lords, so that no cause of taryng shall be founde yn our party, but ever all redye, &c. Bysek-ying you of yo^r right gode and gracious lordship, as y have my lord Chaunceller, to have me excscused of myn non comyng to you

as my dute hath be and is. Considryng verily if y myght knowe . . . lordships pleasur and commaundement therto, the whiche y wolde full fayne knowe and come grete joye and comfort to alle your puple and gostly children of the Cite of Exceter and me most specially; and how hit may please your gode lordeship to do and commaunde us yn the rule and commaundement of the lords above-seide to have yn knowliche by the berers of this my symple writyng at yo^r pleasur. Please yo^r gode and gracious lordship to have yn remembrance that I and all the Comminalte of the seide Cite ben your gostly children and yo^r men at yo^r commaundement and ever shall be by Godd's mercy, whiche preserve yo^r gode and gracious lordship and yo^r blessed faderhed yn his high mercy. Writen at Exceter the xxiiii day of Decembre.

By yo^r awne servant and bedman,

J. SHILLYNGFORD.

Indorsed. A letter from the Jo. Shillingford, Maior, to the bishop.

X.

INSTRUCTIONS FROM SHILLINGFORD TO HIS DEPUTY.

24 Dec., 1447.

Instructions to speak to the Bishop and deliver a letter from the Chancellor. He is to make excuses for the Mayor not bringing the letter himself. It is the Chancellor's command that "we intreat at home." The City is willing. The Mayor is hurt at some remarks of the Bishop's.

After the recommendacion had yn the most godely wyse, ye shall seye to my lord that the Maier yeveth yow yn commaundement to seye, that my lorde Chaunceller greteth hym well and sendeth hym the letter, bysekyng hym of his gode lordship avisely to overse hit: wherapon as ye suppose after the entent of the letter that ye most speke myche more with him, also bysekyng him of his gode lordship

atte reverence of my lorde Chaunceller to yeve leyser and attendence therto ; seying also that hit is the Maier is part to have come hym self with the letter and excuse, &c., and then how dangerous hit was to make eny worthy man to come to hym att tyme for strange chere at Clist, &c., and that the Maier excused hym ayenst my seide lorde Chaunceller to brynge the letter, &c., and promytted to sende of the most worthiest as he hath, &c.

Item, that ye commende my lorde Chaunceller yn the most beste and trusty wyse, and that hit is his commaundement and other lordes, and longe tyme hath be, that we sholde entrete at home, the whiche hath be the Maier is grete laboure the grete part of all this yere, and myghte noght be excepted therto, and so he hath reported before the lordes as well as the furst coming to hym to Clist to seke his gode lordeship and pees for his excuse: and yet the Mayer and the Cite now aswell as before this tyme by commaundement of the lordis and by their awne gode wyll prayeth and desireth that the matter myght be disclosed before his gode lordship, the Maier, the Recorder with othér of the Cite at his pleser beyng present, trustyng to God verely al for the best, and myche the rather and the better to have a gode ende as lawe, reson, and right gode conscience requyren, he to fele alle the maters, and so as ye suppose to be his awne juge, and ende myche of the maters by his awne conscience, we knawing his blessednysse and gode conscience, &c. Forthermore, ye shall seye as for the Maier wher my seyde lorde hath seide, and sende hym word that he is not the man that he wend that he had be, the which worde is to hym right hevy, and seith that he shall fynde hym the same oo man and same true man as he hath be, and so he trusteth to God he is take and knawe among the lordes above ; but thogh he and other labor for the right of the Cite w^t true menys as he hath do and none otherwise as hit shalbe well proved, hit is no cause, &c., they beth sworn therto as he is to the right of his benefice. Make ye myche of this matter and of the deme saying, and of the short chere at Cliste, and the gode chere that the Maier had yn his Closet, bryngyng Coteler

to his gode grace, y yet praying the same yf y may be herde, and that ye desyre his gode leysur now, and but yf ye mowe now to come to hym ayen.

XI.

INSTRUCTIONS TO SHILLINGFORD'S DEPUTY GOING TO THE
BISHOP. (?) Dec. 1447.

[Original and Draft.]

He is to make his excuses for not coming to his Lordship at Chudleigh.

And after dywe recomendacion ye shall byseke my lord of his gode lordship to have me excused of myn non comyng to Chudlegh. For yf aughte be by me otherwyse than aughte to be done God y take to wytnesse hit is but for defaute of connyng sympelenesse and lewdenesse of myself. But for myn excuses dyverses ye shall sey that y hadde warnyng of my lordis comaundement bot the nyght before and that late, after candell tendyng, my hors bare and my ridyng harneys being at Shillyngford, feloship not comyned with ne warned who to ride with me. The whiche y cowde not all brynge aboute yn so shorte a tyme, and also hit was seide to me with the seid comaundement these wordis fro my seid lorde, that y sholde come to Chudlegh yf me thoghte hit were to be done, &c. The whiche seyyng yn my sympelnys considerid, me thoght hit was not to be don at that tyme, consideryng before all thyngs the Kynges right high furst comaundement, the rule of my lord Chaunceller and the ij Chif Justises, and of their comaundement to ensele nywe bondis and entrete at home with a resort; wherapon men y nempted, day y sette to entrete, and all growith and is under the Kynges furst comaundement; and also considryng the bulle the whiche y presented late to my lord Chaunceller, wherapon dyvers letters were made, wherof^a ye shall presente my lord copys; Also

^a whereof—whereof all. B.

y most considryng yn my sympelnesse that my lorde hadde no knowliche of all this laboure ne y no knowliche of his privy comaundement as all tyme hath be hadde yn thes mater how y sholde have governed me, and seide at Chudlegh y stondyng mayer and of power, and yet havynge no power, ne noght may do, seye, aggre, ne assent withoute communicacion hadde with my feloship, a Comminalte whiche is harde to dele with, dredyng my sympelnys lest eny thyng shold have passed me the whiche yf hit sholde have be noted right well, &c. the whiche all this considerid me thoght hit was not my part to come to Chudlegh withoute more streiter comaundement, and so y sent Thomas Cook, &c. Also ye shall seye to my seid lord that he shall fynde the seide Maier oo man and his welwylled and true men what eny men seye of hym, and a redy at alle tymes as hym aughte to obeye and fulfille his comaundement. And yn the grete mater yn debate specially y-trustyng to God and his gode lordship that he will no^a comaund me ayenst the Kyng's comaundement, my wordis, works, and writyngs. Item ye shall seye to my lord that y have do my dayly labour yn all wyse, aswell here at home as at London, and to my lord Chaunceller specially, furst by mene [of] Courteys the Frere, and then by writyngs, as hit appereth yn the seide bulle, and then by mouthe myself to my lord Chaunceller. And so y have do as moche as y can may and dar do by my traute to bryng the mater all yn my lords hondis; And yet yf hit may be seye how by my lordis privy comaundement y may more do y shall the utmyst as me aughte do to my lordis pleasure, besekynge my lord not mystrustyng^b me or^c lete me be dyscharged of the privy consell of the mater, for Thomas Cooke tolde to me so that y sholde not have knowe of the privy communicacion betwene the Bysshop and my lord at his rather beyng at Chudlegh for drede of discoveryng ne hadde be, that noght myght be do w^toute me as mayer.

Indorsed, A lettre of John Shillingfordes for excuse because he could not resort to the Byshop at Chudlegh.

^a not—noght. B.

^b mystrustyng—mystrute. B.

^c To—or to. B.

XII.

H. WEBBER, PRIEST, ON BEHALF OF THE BISHOP, TO THE
RECORDER (?) Chudleigh, 28 Dec. 1447.

Thanks for good will expressed in the letter sent to him (the Bishop) on Sunday. The same day he had a long and diffuse letter from the Mayor of Exeter, stating that the Lords' command was that the matter shall be entreated at home in this vacation. The Bishop will order Copleston and Hendeston to be at Exeter at the next sessions of the peace for that purpose.^a

My right reverend trusty and singular maister, after dewe and entierly recommendacion with all worship and reverence, my lord the Bysshop of Excetre, of whas commaundement y write un to you at this tyme, thanketh your kyndenesse of your gode and well conceyved letter that ye sende unto hym on Sonday last passed, the whiche day sone apon that he receyved^b your letter he receyved a long and right a diffuse letter y send to hym by the Mayer of Excetre remytttyng my seide lord in the same yn to a long rolle of supplicacions by hym made ther a fore, yn the whiche letters ye as yn youre by the enformacion of the seyde Mayer, and the seide Mayer as yn his letters conceyved, atte laste terme that hit was appoynted by my lord of Canterbury and the two Chyf Justises, that the maters be twene my seide lord and the Deane and the Chapitre of his Church of Excetre and the seyde Maier and the Comminalte of the said Cite hongyng sholde be entreted here at home yn this vacacon, with other larger words of the same in the Mayer's letters comprehended. Trewly, Sr, what the departyng and how at the laste terine was a fore my seid lord the Chaunceller and the seide Justises my seide lorde was a fore and is fully enfourmed therof. Notheles for as moche as ye fynde the seide Maier and his feloship of the Cite disiderable and aggreying a comunicacion to be hadde after the effecte that ye commyned with my seid lord sum

^a There was a consultation in the Chapter House, Lent 1447 8.—See Extracts from Receiver's Accounts in the Appendix.

^b Originally "hadde receyved."

tyme at Excetre, and yn maner so the seide Maier writeth hym self to my seid lord, with maters of pretens contrarye articulis and other allegauncies and remissions yn to meny diffuse supplicacions, seying furdremore that he hath writen to John Copleston and William Hendiston for the same comunicacion to be hadde for the gode ende and peasyng of the seide maters, of the whiche my seide lorde seith that hit pleaseth hym that a comunicacion myght be hadde yn haste, and he woll do the seide John Copleston and William Hendeston to be at Excetre with other as well of the Chapitre is counseill as of his awne atte next session of peas. So that the seide comunicacion be no longe delaye to hyndryng of his Churche and of his right, for trewly he woll noo long delays theron, bot to do his avail whan he shall se his tyme. And yf hit so be that ther shall be y-offered suche weyes that may be to the gode ende and peasyng of the seide maters withoute hertyng and delayng of the right of his Churche, he woll applie hym self therto with gode will: and where ye wrote yn to my seide lorde that he moved to yow that William Hendeston and ye a certyn day limited by yow and by my seid lord for to commune for the gode ende to be hadde yn the seide maters, and he kepte not his day, my seid lord seith that ye knowe well by certefyyng of right worthy men that he myght not be there at that day for certyn causes that they certefied yow therof resonable. Notheles sone apon he came to yow and ye and he communed to geder, the whiche comunicacion was be case and litell fruite theron. And he seith that sith he came home from Courte he communed with yow of dyvers maters, bot ye moved noo thyng of the seide maters. And therfor my seide lord supposed ye wolde noo more therof. Notheles my seide lord, seying your gode will, whiche ben of counseill with his Churche, wyth^a hym, and with the Maier of later date, thanketh yow hertely of your gode letter and also the Maier for his godeley letters, and with the grace of God John a Copleston and William Hendeston and other, as hit is abovesaid, shall be a redy to commune with yow under the

^a wyth—originally “and.”

fourme as hit is abovesaid to the effectuall gode ende with oute grete delay, for trewly y ther sey yow secretely, on grete truste that y have founde yn your person ever, my seid lord woll not be long delayed yn noowise, as y veryly conceyve by hym, and therfor y wolde for the reverence of God and ease of the pore puple and for your grete worship that ye myght be cause of the gode ende and peasyng of the seide maters. And yf y myght se that hit myght take effectuall and a spedefull ende, y sey yow feithfully y shall do my part truly therto with the grace of God, the which have yow ever yn his gracyous keepyng, and my seid lord praied yow that ye wolle notise his wyll abovesaid to the seid Maier and to such other as your worthy and apprevd discrecion semyth best for be don. Y-write at Chuddeleghe the xxviii day of December.

By your owne Prest,

H. WEBBER,

dwellyng with the Bysshop of Excetr.

Indorsed. A lettre agaynst the Cite sent by a preest to the bishop.

XIII.

SHILLINGFORD TO HIS FELLOWS. London, 2 Feb. 1447-8.

[Draft Letter.]

On Candelmass Eve he received their letter brought him by Harry Dobyn, which he has well understood. What to do he cannot yet be "redely avysed," but will do as best he can.

Right worthy siris, y grete yow well; doyng yow to understonde that on Candlemasse yeve y receyved a letter y send to me by Harry Dobyn, whiche letter yn my sympell conceyt y yn alle thynges have well understonde, and y am and was before that letter fully remembred of all thynges that is comprehended theryn, as specially of Stokewode, as well as more of the entrety some tyme moved by Sir William Bonevill, and of the communycacion ther

upon hadde at London, and specially yn the Cloyster at Paulys, the right grete of the parties, with theire conseil, and moche other puple beyng present; what was comyned, moved, stured, desired, and by whom; how hit was procured and shortly throwen of; how hit was conceyved, reported, and take there and ellis where, and what yvell wyll, waywardnys, and unkyndnesse was assigned, and what was promysed and what was do therfore, ye knowe right well, and Richard Druell specially: some wherof ye and y comyned therof the last hole day of my beyng at home at Exceter yn my parler; constre ye alle thynges what y mene. What is to do furthermore y can not yet be redely avysed by conseil, bot y most doe as y se the mater woll be ruled, and as y can, may, and dar do, eschewyng variance, breche, throwyng of, and yndyngnacion specially, and so y shall by the grace of God,^a whiche have yow yn his keepyng. Amen.

XIV.

SHILLINGFORD TO HIS FELLOWS. 3 Feb. 1447-8.

[Original and draft.^b]

The Buckhorn was presented on Candlemas day. On that day he was with the Chancellor at mass and presented his candle to him, and "abode there to meat by my lord's commandment." Describes the scene and his conversations with the Chancellor about the cause.

[Worthy siris, y grete] yow well alle, doying yow to understonde that the bukhorn came to me bot on Candelmasse yeven [afternone somewh]at better late than never, whiche bukhorn was presented to my lord on Candelmasse day by the [morun. How hit] was presented y-take, and what thankys and better thankis y nogh therfor Harry Dobyn can telle [yow of some]what by mowthe. That day was y

^a by the grace of God—originally "so far as God will yeve me wyt and grace."

^b The words in brackets are filled in from the draft, here called B.

at Lambeth with my lorde at masse, and offered my candelle [to my lord is] blessed hond, y knelyng adoun offeryng my candell. My lord with laghyng chere upon me seide hertely, "Graunt mercy, Mayer," &c. That same day y abode there to mete by my seide lordis commaundement; [y mette] with my lorde atte high table ende comyng to meteward, and as sone as ever he saw me he [toke me] fast by the honde and thankis ynogh to: y seide to my seid lorde hit was to symple a thyng considryng his astate to seye onys graunt mercy, bot yf y hadde be at home at this faire he sholde have had better stuf and other thynges, &c. Y went forth with hym to the myddis of the halle, he stondyng yn his astate ayenst the fire a grete whiles, and ij bisshoppis, the ij Chif Justises, and other lordis, knyghtes, and squyers,^a and other comyn puple grete multitude, the halle fulle, alle stondyng a far apart fro hym, y knelyng by hym, and after recommendacion y moved hym of oure mater shortly as tyme asked, and yn especiall of the ij Chif Justises beyng there, bysekyng hym or their departyng to calle ham to hym for oure mater; he seid hertly with right godewill, and prayed God that ther myght be right a gode ende; and y thanked hym and seide with his gode lordship we were almost thurgh and at an ende, y seyyng also by these menys "My lord, y have herd yow seye that ye and the ij Chif Justises of a rule of the Church and Cimiterie were negh accorded." He seide hertely, "Yee for gode." Y seide, "My lord, as touchyng the fee Radford and Coplestone beth nigh accorded at home, whiche two accordis y knowe we both alle most thurgh:" the whiche seyyng alle he toke on the best wyse and was well pleased therwith, and so departed fro hym at that tyme. Mete y down, my lord toke his chamber, the astatis and other with hym. Y put me yn presse and to my lorde and spake with hym right a grete while, so that he called the Justises to hym and moved of oure mater. Y wolde have seide, &c. the Chif Justise toke upon hym to seye, &c. and seide moche thyng for oure part, and quytte hym a gode man^b to us.

^a squyers—"quyers" B.^b man—originally "lord." B.

Furst he reherced how we were broght yn be fore tham by the Kynges commaundement, how we wolde have be dysmyssed and discharged fro tham,^a and be atte comyn lawe and myght not, and how hit hath be labored ayenst us duryng the tyme of this entrety, so that ther is a Shirf y made and the contrey embraced ayenst [oure] entent and thus we stode at^b myschif, &c. The other Chif Justise seide well therto also, and my lord toke hit [welle] seyyng, "Hit may not be so; assigne ye a tyme the parties to be called, a rule to be sette, so that hit shold be amendyd:" and so departed as for more comunicacion of oure mater. Afterward y spake with the ij^{de} Chif Justise there a grete while, to whom oure mater myche was rawe. He understode and toke my seyyng and ynformacion [yn the moste] beste wise, and so seid^c therto for oure part. [After this we toke our leve, and y yn my leve takyng seyyng [these] wordis, "My lord, have mercy and pyty apoun that pore Cite, Jesus vidit civitatem et flevit super eam;" also bysekyng him to yeve me leve to sywe to his gode lordship to have the mater refourmed as hit is above aside; he seide y sholde be right welle come what tyme that ever y come, and so departed thens and stonde this day, &c. That nyght right late Harry [Brok] broght me a copy of a recorde whiche y sende to yow,^d to the whiche recorde with avys of conseil y thyng^e bolde[ly to] appere forthwith this terme, &c. and y hope hit shall be right well as the cas stoonde, and better than hit was desired and like to have be atte last entrety at home, with the grace of God, whiche have you in his kepyng. Writen at London the morun after Candelmasse day. [3 Feb. 1447-8.]

By JOHN
SHILLINGFORD, } M^r of Excetre.

Indorsed. After makyng of this letter y receyved a Copy of a writte ayenst John Hulle, as h[ere folowyth].

^a See the Petition to the King in the Appendix.

^b at—originally "yn." B.

^c and so seid—originally "and seyde right blessedly" in B.

^d See end of letter.‡

^e "thenke" in the draft.

Devonia. Distringas Johannem Hull de Exonia in Comitatu tuo marchaunt per omnes terras, &c. respondendum octabis Purificationis Thome ipse simul cum Ricardo Toher de Exonia Sherman vi et armis in ipsum Thomam apud Exoniam imprisonavit, &c. et ipsum in prisona quousque idem Thomas finem per centum solidos pro deliberatione s Ricardo et Johanne fecisset, &c. Et alia contra, &c.

‡ *On a ryder* :—

Devonia. De termino Sancti Hillarii anno regni Regis Henrici vj. xxvj^o. rotulo lix^o. Distringas Majorem et Communitatem Civitatis Exonie Octabis (*sic*) Purificationis Johanni Notte clerico vi et armis ipsum Johannem apud Exoniam absque causa rationabili ceperunt et imprisonaverunt et ipsum ibidem sic in prisona contra legem et consuetudinem regni nostri Anglie diu detinuerunt. Et alia, &c.

Addressed. To John Coteler, lutenant, Thomas Cook, John Germyn, Walter Pope, Richard Druell, and other, this letter be delyvered, &c.

XV.

THE MAYOR AND COMMONALTY OF EXETER TO THE LORD CHANCELLOR. February 1447-8. [Draft Letter.]

Praying him to write to the Bishop and desire him to conform to the King's commandment, and to stay the suit at common law.

Please hit yn to youre right gode and gracyous Lordship of youre specyall grace and favo^r to write unto the right reverend fader yn God and blessed man yn hym self Edmund Bysshop of the Cathedrall church of Excetre and to the Deane and Chapitre of the same, as touchyng the grete mater yn variance that by long tyme hath honged betwene the seid Bysshop, Deane and Chapitre and the Maier and Communalte of the seid cite; furst, yf hit please

yow, recytyng how that the seide mater of variance came before youre gode Lordship and the two Chif Justises by the high commaundement of oure soverayn lord the Kyng by theire sute, ynstance, and laboure to his highnesse therof made, at whiche tyme the seide mayer and communalte wolde full fayne to have be dysmyssed a large and the mater to have be determyned atte comyn lawe, bot for drede of the seide commaundement, to tham right ferfull, obeyed and bounden them to abide the rule of youre gode lordship and the seide two chif justises after the seide commaundemente; and so they have governed tham, don and fulfilled all thyng that longeth to theire part to don; and if any thyng lakke they beeth redy to perfourme hit as they seyn, trustyng to God verily to have hadde right a gode ende. Whereapon how that ye yn your gode lordship yn the ende of the last terme of Seynt Mighell, for shortness of tyme and grete bysnesse for þe Kyng, evyng yn commaundement to the seid parties to go home, nywe bondis to be made and enseled yn to Candelmasse, and yn the mene tyme to entrete at home to shorte the mater to youre blessed Lordis, and so an ende to have be made this terme. Bot as ye beeth enfourmed by the part of the seide Mayer and Communalte that they beeth varied fro the seide comaundements and suyth a large atte comyn lawe to yow grete mervaylle if hit so be, praying tham specially at this tyme to be refourmed and confourme tham to the seide commaundement, the whiche the seide Maier and Communalte have and woll yn alle wise obeye, abide, and be bounde therto, as they seyn, to have a gode ende and pees; and as us thenkyth hit is yo^r part to do the same; and so we woll that ye do atte reverence of Godes pleasure, of the Kyng, and oure worship, and as ye woll yese and pees yn this mater; and ellis to oonswer the Kynges commaundement and oure rule, and to lete us have yn knowleche why ye woll not.^a

^a The latter part of this petition shows that it was only a draft. The last sentences were evidently intended to be employed by the Chancellor in addressing the Bishop.

XVI.

THE ARCHBISHOP OF CANTERBURY TO THE BISHOP OF
EXETER. Lambeth, 16 Feb., 1447-8,

Begging him to refrain from proceeding at Common Law because the matter is by his labour and that of the Justices in course of settlement under the bonds that were made to Candelmass last. Trusts that a composition may be made and if any difficult point arise the judges will settle it.

Ryght Worshipfull and wyth all my herte right welbeloved Brother, I grete you well full hertly. And suppose ye be well remembrid howe that matier whiche longe tyme hath abiden yn travers bitwixte yow, your Brethren and myn, your Deane and Chapitre of yowre churche of Excetre, and the Mayer and the Comminalte of the same, by speciall comaundement of the Kyng was commytted and putte to the rule of the two chief Justises and me, wheryn as God knowyth they and I have laboured long tyme, and specially the last term yn our effectuall wyse for the gode of pease and sure conclusion to growe therof, bryngyng the matier by daylie labour to grete ripnesse the soner therby to have concluded theryn: And for as moche as we myght not approchyng the ende of the terme further labour theryn, hit was comyned and desyred nywe bondis to be made and enselid at home by bothe parties unto Candelmasse last passed trustyng the matier to have be comyned and yn partie entreted at home. And as nowe we wold have preceded theryn to somme gode conclusion; and the matier is attained at large yn the comyn lawe: We praye yow as yet that, notwithstanding havyng consideracion the seide Mayer and Comminalte have att all tymes and yet ben as they seyen redy to obey and abide all entrey, yow like to putte the matier to take soner effectuall ende by entrey and yntercommunicacion than by rigour of the lawe. And yf ther be eny poynte of grete difficultee or travers, the seide Juges and I woll putte to owr labour to the remedy

and redresse therof with all our hertis and power. And almyghty Jhesu have yow ever yn his keeping. Writen at Lamehithe the xvj daye of February,

J. ARCHEBYSSHOP OF CAUNTERBURY.

Indorsed. The besshop of Canterbury to the bishop of Exon.

XVII.

THE CHANCELLOR TO THE CHIEF JUSTICE,

Urging him to use his influence with the Bishop for an entreaty to be had at home.

Worshipfull and right welbeloved Frend,—Y grete yow well, and doute not ye be well remembred of that mater whiche hath longe tyme abiden yn travers betwixte my Brother of Excestre the Deane and Chapitre and the Maier and the Comminalte of Excetre, wheryn ye for your part have hadde grete laboure; y pray yow, considryng the mater is attainyd at large in the comyn lawe not likely by that mene to be ended lightly, as your wysedom knowyth well, yow like at this tyme yn your beyng ther to move and enduce my seid Brother and alle parties to putte the mater yn entrety at home, trustyng as me semyth fully wyth more charite and lasse coste the mater to take sonner ende by that mene than by processe or rigour of lawe withoute your dysplase. And almyghty Jhesu have yow yn his keypyng. Writen, &c.

The bishop of Canterbury unto the lord Cheff Justice for an intrety to be had.

XVIII.

INSTRUCTIONS TO RICHARD DRUELL, DRAWN BY SHILLINGFORD. Lent, 1447-8. [Draft.]

Druell is to recommend the Mayor, &c. to the Lord Chancellor. Pray him to remember how the Mayor last departed from him, and specially of the communication had with him the Sunday morning before the Mayor departed in his "ynner chamber" at Lam-

beth. He abided till Tuesday, and had a letter to the Bishop of Exeter. Also tell him he sent his letter to the Bishop by John Hulle, John Coteler, and you Richard Druell. The Bishop sent Canon Kys to treat with the Mayor, who refused to treat with any one but the Bishop; but they agreed to refer matters to counsel on either side, and met at the Cathedral, Copleston, Hingston, and Wood for the Bishop, and Radford, Hody, Beef, and Dowrish for the City. No answer yet given to the City's articles. The Bishop sent word to the Mayor that he would be at Exeter to meet him. In the evening the Mayor waited on the Bishop. The Bishop spoke with him. The Mayor attended at the Cathedral on Monday morning "at 10 atte belle" and was assigned to come before the Bishop in the Chapter House. ? Lent, 1447-8.

Furst ye shall recomende the Maier and all the hole comminalte of the Cite of Excetre to my lorde Chaunceller is gode and gracyous lordship as his awne puple and true bedmen, and at his commaundement at alle tyme redy, and that this be seide with more after your discrecyon yn the most godely wyse and under the most best and convenyent termys as longeth to his high astate and plesure as lord. Y sey for my self by my trawthe and for all the seide Comminalte as y suppose, yn wham after the Kyng your soverayn lorde we have most feith hope and truste verylye, ever thankyng hym of all his ryght grete gode gracyous and endyfferent lordship at alle tymes to us redy shewed and don, and yn especiall yn this mater yn debate by twene the right reverende Fader yn God and blessed gode man if he most be Edmund Bysshop of Excetre, and the Deane and Chapitre therof of that oo part, and the symple Mayer his man and the Comminalte of the seyde Cite of that other part, the which mater, with the grace of God, with contynuance of the gode, gracyous, and endyfferent lordship of my seide lorde, the grounde of right y knawed yn bothe parties by leysur ys like to take effecte and gode ende.

After this recommendacion and thanks ye shall praye my seyde lorde of his gracyous lordship to be remembred how the seide Mayer last departed fro hym, and specially of the comunicacion that the seyde Mayer hadde with my seide lorde the Soneday yn the mornyng next be fore his departyng yn my lordis ynnere chamber at Lambyth, wher y moved my lord of meny dyvers maters and yn

especyall of my lord Bysshop of Excetre and of the grete mater hongyng yn debate by twene hym the Dean and Chapiter and the seide Cyte, and how that as y supposed that my seide lorde of Exceter had no more knowlyche of the grounde of this mater then the ymage yn the cloth of areys ther, &c. and yf he knyw the right title and grounde of this mater, considryng his blessednesse holy lyvyng and gode consyence, that hit wold be cause myche the rather to be at a gode ende, and cause to knowe the better the gode, gracyous, and favorable lordship that my seyde lord Chaunceller hath showed and don as well to my seid lord Bysshop of Excetre Dean and Chapitres part as to the Cite of Excetre and elles not, &c. My seyde lord Chaunceller conceyved and consydred me well, and seyde that y sholde have a letter wyth me to his seide brother Bisshop of Exceter of this matter, and comaunded me to abide, and so y didde anon to Tuysday, the whiche Tuysday y hadde the letter delyvered wherof y send a copy. That day y spake to my lord to have a tokyn to Sir John Wulston to have oure articles y-answered. My seide lord as y conceyved hym seide y sholde not nede, for he knyw well that they would answer at home, and so that they hadde promytted hym. Y seide of lesse then they wolde answer to the articulis y sholde never enduce my felowship to no suche^a entrety; and thus y hadde my leve and departed fro my lorde and came home to Excetre, &c. Item, ye shall enfourme my lorde of the governance at Excetre tyme of assise and specially of the wacche and kepyng of þe pees, and how that my lord of Excetre is tenants were somned to come and kepe the wacche and the pees and came not, and what querell ther was made by the surveyur and Copleston, and how the Mayer bade ham to compleyne to the Justise and so they didde, and how the Justise demened hit, so that the seyde tenants wolde have come afterward as well as be fore yf they moste, but they wer forbode apou a grete payne and charged yf eny of the Mayeres officers entred yn to eny tenement of the Bysshop for to warne

^a no suche—first written “none.”

eny man to come to the wacche that they sholde breke his hed, wherof hit was like to have be right myche a do and grete trouble. Nerthelez the pees by the mayeres rule well y kepte and all other thynggis so don that y truste to God the Justise woll reporte the beste.

Item ye shall enfourme my lorde how that y sende his letter to my lord Bysshop of Excetre by John Hulle, John Coteler, and yow Richard Druell; how godeley the letter was receyved, what gode chere and welfare they hadde there, and the answer that they hadde to the letter; that my lorde the Bysshop seyde that hit was not his part ne noght wolde comyne ne hire therof, but that he wolde sende his Counseill Copleston specyally to comyne of that mater, &c. and so the seyde John Hulle, John Coteler, and Druell departed, &c. Sone afterward came to the Mayer fro my seyde lord Bysshop of Excetre Sir Rogger Kys, chanon, and seyde that he hadde a bulle y come fro my lorde of Excetre, that he sholde speke with the Mayer there to know his entent of the seyde letter, and so to reporte to my lorde. The seide Mayer seide to hym ayen that he cowde^a no-skyll to speke entrete ne uttre no mater to my seyde lord Bysshop by mene. And that the seyde Maier conceived and knywe right well that his seyde lorde Bysshop toke unworthy as he myghte right well for sympelnesse and poverte to speke or entrete with hym. Nerthelez he seyde 'suche sympell as he was he was Mayer of Excetre and hadde yn comaundement of my lord Chaunceller to speke, uttre maters, and entrete with hymself. Wherfor he seyde that he after my lordes commaundement and as Mayer of Excetre he wolde boldely take hit upon hym, &c. Kys wolde no ferther yn that, but moved and stured of other divers entreteys.^b And y seide ayen, sithen that they wolde leye this entrety apart, what ever entrety they wolde move, sture, or desire resonable hit sholde be agreed, so that no defaute shoulde be founde ynoure

^a cowde—oowde, MS.

^b "And yn especiall to have a day of entrety, ij. of their counseyll y called to and ij of oures. Whereupon we accorded of a day. The Mayor" struck out in MS.

part; wherapon we comyned of divers maters and entretyes, and atte last we conducended yn this wyse: ij men to be nempted of ayther counseyll to sette ayther party yn rule of entrety; hit was agreed, men of counseyll y nempted, and a dey y sette at Seynt Peter's. They nempted Coplestone yn certeyn, Hengston or Wode for their part. Y, Mayer, nempted Radeforde in certeyn; Hody, Beef, or Dourysshe as y myghte gete, and so departed. The whiche dey at Seynt Peter's we mette with bothe counseill, but they fayled of Hengston and broghte Copleston and More. We faylled Radeford and broghte Beef and Douryshe; wher was myche comunicacion, ye Druell beyng present at that tyme and at every doying and comunicacion sithen; wherof y pray yow to remembre yow right well and enfourme my lorde of all thynges truly and yn especyall of the answer to our articulis how ofte yn name of my lordes commaundement above seide hit hath be asked what answers we have hadde, and latyst specially, and how the counseyll at Seynt Peteres Church tyme aboveseyde, seyde hit was reson that we hadde answers to oure articulis, and hit was agreed. The Dean seyde that they wolde not entrete but yf they hadde Hengston, and seyde that they had meny old charters, evydences, and munimentes that their counseyll saw never, whiche sholde be shewed. We seyde and prayed for the love of God that they myght be shewed, yf eny suche were, and it sholde ende the mater but it wer lawfully answered; and so dey yeve over and ajorned yn to Hengston is comyng. Our counseyll asked yf they sholde eny lenger tary for this mater: they seide nay, and so our counsell was by them conveyed and so departed fro us that dey ayenst nyght. The morun at viii atte cloke came to the Mayer my lord of Exceter is surveyour and Copleston and warned hym that my seyde lorde Bysshop of Exceter wolde be att Exeter that same dey atte oon atte klokke to speke w^t hym of the maters comprehended yn the letter that my lorde Chaunceller sende to hym by the Mayer; of the whiche warnyng the Mayer was fowle astoned and encombred, and seyde that this was grete mervaille to hym, trustyng to God that it was not my lorde Chauncelleres com-

maundement that my lorde of Excetre should come so, but that the seyde Mayer with other of his felowship sholde come to hym at his assignement and calling as their parte is, and wolde w^t right gode will to comyne after the commaundement and the entent of the seyde letter, and thought that my lord of Exceter were avysed and ruled so to come for so myche as the matter of the seide letter by my lord of Exceter was leide apart as is aboveseyde, and a nywe fourme of entrety take and entred yn entrety, and the matter ajorned over by avys of bothe counseyll as hit is aboveseyde. Y cowde ne wolde not, sayng my seid lorde Bysshop of Exceter is commaundement, nother speke ne entrete w^t hym of this matter, prayng so to have me ascused ; but yf he wolde nedys thus come, y w^t my felowship wolde awayte apon his gode lordeship, and comyng w^t all worship and reverence to receyve hym as oure part was. Copleston asked yf this sholde be oure answer, and yf hit so sholde he most sende a man yn hast ayen my lord for my lord was comyng. The Mayer seide this was hasty processe, and conceived right well that hit was do for to take hym yn a defaute, whiche he trusteth to God and my lord Chauncelleres gode lordeship that they sholde not; and seide they shold take this for none answer, for the mater tochith the grete Comminalte of the Cite of Exceter as well as hym. But communicacion y hadde w^t felowship they sholde have an answer. Copleston seyde hit most be don forth with, for my lorde was comyng. The Maier seyde he most have resonable tyme for calling and of communicacion, and desyred ij oures, oone to calle another to comyne, and no moo. And that with grete ynstace and prayer was graunted, with ynne whiche ij oures and fast by oon oure they were answered that the Mayer w^t alle the worthy of the Cite wolde awayte apon his gode lordeship and his comyng. And at alle tymes to be all redy to come to his commaundement to his presence and specially suche as he wolde calle accordant to the writyng of my lord of Canterbury. At yevensonge tyme my lorde the Bysshop was come, the Mayer w^t alle the worthy as ys aboveseyde and grete parte of the Comminalte, a fair felowship hardly, wayted apon

hym as is aboveseyd,^a and well comed hym yn the most best and godely wyse that they cowde. How hit was y take and what stronge chere was hadde of the meyny y pray yow to reporte When my lorde hadde seide his prayers atte high auter, he went a part to the syde auter by hym self and called to hym a part the Maier and no moo and there comyned to geder a grete while. My seide lorde the Bysshop seyde to the Maier that he was come to towne by commaundement of my lorde Chaunceller to speke with hym, and seyde that he sholde seye what that he wolde. The Maier answered and seyde he trusted to God that my lorde Chaunceller commanded not so, and ^bthat he right hevy was of his grete laboure at that tyme and that hit neded not, for yf he had send for the Maier^b and suche of his felowship as hit plesed hym to have come to hym they wolde have come to hym at my lord Chauncelleres commaundement and his as their part was with right gode wyll, and that as he supposed was the entent and commaundement of my lorde Chaunceller, praying hym forthermore and bysechyng hym of his gode and gracious lordship to be oure gode lord as he hath be before this tyme, with myche more &c. And that hit pleased hym to assigne hym an oure the morun, &c. My seide lorde seide he myght not tary, but be agone anon. The Maier seide that he cowde not comyne with hym sodenly and with so shorte avys and by hym self, and my lorde Chauncelleres commaundement was that y sholde have w^t me at this comunicacion of my felows suche as hit pleased yow. And at your commaundement my seide lorde seide y sholde take wham that y wolde, there stode right y nogh^c abowte. The Maier seide yf he sholde so do he most comyne w^t hys felowship wham he sholde have, and that oon of them that they wolde have as he knywe well was Thomas Cook seke lame at home; and so prayed my lorde most specially of his gode and

^a after aboveseyde—"w^t all the reverence that they cowde"—struck out.

^b "that" to "Maier" put in place of "that hit longeth to his astate to have bide at home and to have commaunded the seide Mayer to come to hym."

^c ynogh—first written "ynowe."

gracious lordship to have dey over yn to a mourn; and so w^t myche hardnys, prayer, and ynstance hit was graunted at x atte klokke, and so hadde leve of my lorde and departed yn to a mourn.

Among other next aboveseyde my seide lorde commaunded the seide Maier to shewe that speciall writyng that he hadde promysed to my lorde Chaunceller that sholde make an ende of all the mater, and ther apon he stiked fast with stroynge longage and chere as well as yn other maters aboveseyde. The seide Maier answered and seide he hadde made noo suche speciall promys, and that he trusteth to God my lord Chaunceller woll reporte. The Bysshop taried at Excetre fro Friday yevynsonge tyme yn to a Moneday erly yn the mornynge. The Maier wayted apon his gode lordship at alle tymes as his part was, and proferred hym his servys yf eny thyng he sholde and myght do or eny of the Cite; they wer alle redy at his commaundement and ever prayed him of his gode lordship, and forthermore moved hym yf eny thyng wer by commaundement fro my lorde Chaunceller to call hym therfor, they wer at alle tymes redy to obeye, do, and come by his commaundement, and so bysoghte hym to take and reporte us, &c.

At whiche tyme, at x atte belle, by assignement of my seide lorde the Bysshop, the seide Maier and his felowship w^t their counseyll awayted apon my seide lorde the Bysshop in Seynt Peteres Church of Excetre, and there and at that tyme they were assigned to come be fore hym yn the Chapitre hous of Seynt Peteres.

Memorandum. To have yn mynde of a blynde entrety, and how hit hath be ladde forth thus hiderto.

Memorandum. Of the priestis that beth endyted.

Indorsed. A letter of Instructions to Richard Druell.

XIX.

SHILLINGFORD TO THE CHANCELLOR. Soon after 13 March,
1447-8. [Draft Letter.]

The parties have been in treaty before Sir Richard Newton, Chief Justice of the Common Pleas, at Exeter, and also before the Bishop at Crediton. Hopes for a "gode ende."

Please hit your gode and gracious lordship to have yn your blessid remembraunce as touchyng the grete matiers yn debate betweene the right reverend fader in God and blessed man in him self and my right gode lord yn tyme hath be and yut throgh your gracious lordship I truste to God shal be, Edmond Bisshop of Exceter, the Deane and Chapitre of the same, and the Mayer and Cominalte yo^r owne puple and poore bedemen of the seid Cite of Excetre, how hit pleased yo^r gode and gracious lordshippe this same terme of Seynt Hillary to write a lettre unto my seid lord the Bysshop of Excetre, to have the seyd matier yn trete at home as ^a hit was bi your lordship comaunded at ^a Mighelmasse terme, whiche lettre ye yeve me yn special comaundement to bere my self to my seid lord of Excetre; after^b which comaundement I toke hit apoun me and so did, where, through favoure of yo^r ^c gode lordship, I ferid wel, had gode chere, and was yn the best wise right wel come, and al thing comprehendid yn yo^r lettris yn ful godely wise take, obeyed, assent, and agreed. Radford and Copleston to be ^d at Excetre to trete yn the matyer; and so thei were at tyme of assises, at whiche tyme S^r Richard Neuton, chief Justise of the Comun plece, called the parties before him, and the seid John Copston and N. Radford, and there he hardly did indifferently his true tendre and diligent labo^r and parte for the gode appesyng and welfare of bothe parties yn the seid mater, after the effect and extent of y^e blessid lettre fro your lordship to him send by me.

^a as to at—originally "after yo^r comaundement yn."

^b after—originally "at."

^c where to yo^r—originally "where for yo^r love."

^d to be—originally "beyng."

Whereapon day was assigned on Wensday next after Passion Sondag^a the seyd Copleston and Radford to intrete of this mater; at whiche day the seyd Copston and Radford, and I the seyd Mayor, with my felowship, were at Kyrton before my seyde Bisshop of Excetre, my lorde of Devonshire at that tyme beyng present. And there and at that tyme a^b reule was mouthid and had^b accordyng to the forme of a condicion of an obligation, whereof I have send to yo^r lordship a copy yn this lettre, to whiche bothe parties at that tyme agreed and assentid ham, a^c special communication had before^c with the seyd justise by me the seyde . . . my counseil and felowship; trustyng to God and to yo^r gode lordship to have right a gode ende. And, yf noe, ever to resorte to your gode lordship accordant to the kynges comaundement, by Goddis mercy, whiche preserve yo^r gode lordship in his high mercy.

XX.

SHILLINGFORD TO DRUELL. After Lent, 1447-8.

Instructions to speak to the Chancellor upon the matter.

Furst, ye shall remembre my lord how ye last departed fro hym by your olde enstruccion. Item, declare hym yn especiale of vyw de Franke plegge, what hit is, and as many thyngis as hit drawith to hym as fer as ye can, the whiche no lerned man can well declare, ther beth so many. Item, how the cite stondesth entituled thereyn, &c. Item, ye shall enfourme hym of the grete laboure that hath ben at London sithenys, &c. by an enstrucon and letter that sholde have be sende home, yn the whiche is conteyned shortly myche of the grete laboure that hath [be] at London. Also ye shall enfourme

^a 13 March, 1447-8.

^b a to had—originally "the seyde Copston and Radford made a reule as hit apperyth yn," then "a reule was had and made by the seyde Copston and Radford."

^c a to before—originally "moreover ther was a comunicacion had."

hym of the Justyses comyng yn to Excetre, how he was receyved, what chere he hadde, and how he toke hit, and what rule and governance hath be at Excetre at tyme of his beyng ther, and yn especyall of the wacche, and how that the Bysshoppis counseyll was w^t the Maier, makyng grete querellis by cause that he somned the Bysshoppis tenaunts to watche; the mayer avowed hit well, and seide that that somnys was no wronge, ne^c cause to make no querell, but that he wold do more; of lesse^a then they wold come when they were somned, that he wold streitly punyssh ham, and that they sholde knowe well.^b The Maier made his grete querell to the seide Bysshoppis counsell, seyyng that they hadde forbode the Bysshoppis tenants every apon payn of xl^s that they sholde not come to wacche, and that they had seyde that yf eny of the Maiers officers entred yn to any hous, that is of that that the Bysshop calleth his fee, that the tenant sholde breke his hed. Wherapon the Mayer made right grete wayward longage to tham.^c The Maier seide waywardly he wolde do more, he wolde make levy bothe of the Citeseyn spendyng and the fe ferme, and that he wolde well avowe, and bade ham of all to enforme the Justise therof, and that he wolde do the same, and so the Maier did, and the Justise to all thyng for the cite is part yn resonabilly gode wyse toke hit, and yn especyall the wacche yn the best wyse, so that they wold wacche now w^t a gode wyll, and beth gode men and eysy as at Radwey.^d Wherof y pray yow to enforme my lord of all thyng that was done and seyde ther at that tyme, &c. Next after this ye shall yn the Mayer is name speke to my lorde for John Coteler and John Germyn, and then ye shall speke to hym for the Mayer of Pencrygge, w^t all

^a of lesse,—in the sense of “unless,” as in a previous page, and again in p. 70.

^b well—after this there was “and seid to ham that they sholde enforme the Justise thereof, and so they did.”

^c tham—after this there was originally “and bade ham to telle that to the Justise, and seide that he wolde do the same, and so he did.”

^d Radwey was one of the Bishop's seats. The allusion appears to be to the obedience and good conduct of the Bishop's men there as compared to that of his men in the City.

the grete circumstance. Y pray yow to remembre yow of all thyngs therof. After this ye shall speke to hym for the Mayer, that the Mayer that is and shalbe some tyme, may not ne shall not mow dar^a to rule the Kynges puple after his lawys, ne putte the lawe yn execucion, ne do ryght as he is sworn to for drede of my lord, and sey un to hym what men defauteth ryght by his comaundement. Furst, oon Wouston, my lordes tenant, and Richard Prewé. Also the jugement by twene Broghton and the Glasier, and by twene John Husset *versus* John Notte, and specially of S^r John Notte of his fyn. Item in speciall of S^r Thomas Gogh, how he is take out of Court, and the Court stondesth y charged w^t hym in dyvers wyse, and S^r William Slug defauteth ryght, and meny other[s] that wolde sywe ayenst hym ther. Item, of William Hampton, he remayneth by wey of execucion contrary ayenst y^e lawe as hit is supposed, and lith yn grete myschif. Also afte tymes [the Mayor] hath not dar do the lawe and execucon thereof, as right requyreth, apon his tenants, mayny and other, as Huxhill, John Fyle goldsmyth, most specially Robert May and his wyf, by wham the Mayer is rebuked, &c. Richard Ree specially; his mynstral made affray apon a woman, and wold have ravasshed hir. S^r Thomas Gogh p^t made affray and toke the churche late. Forest seide p^t p^e seyde S^r Thomas was my lordes man. John Hussett arest a Saterdey, he most be delyvored to make my lordes work. Thomas Mayer ynteruptyng our franchise a Lammasse yeven. Of alle these and right meny moo p^e Mayer hath not dar do right lawe ne execucon, for now almost every man taketh colo^r by my lord. Bysekyng p^s to be remedyed, and also of beryng of the mace w^tout Westyeat and of p^e brygge^b while seson ys.

^a dar—after this “for drede of my lorde” has been struck out.

^b p^e brygge—Exbridge was in decay at this time; Shillingford made great efforts to restore it. See his petition in the Appendix.

XXI.

SHILLINGFORD TO HIS DEPUTY IN LONDON. INSTRUCTIONS TO
SPEAK TO THE CHANCELLOR. Soon after Easter, 1448.

Desires more time to answer the Bishop's new articles. Search to be made among the Public Records for evidence. Since "our departyng from London" the Canons have changed their conduct, and behave peacefully.

* * * * * * *

. of all his right gode, endifferent, and gracious Lordship
 ally yn this grete mater yn
 debate by twene the righte reverende ffader yn God
 be Edmund Bysshop of Excetre
 and the Dean and the Chapitre there of that oo parte
 Cominalte of the said Cite of that other parte. The
 whiche mater with the grace of God and
 gracious endifferent Lordeship of my saide Lorde, with leiser shall
 take gode effecte and ende and rig partyes.

After this recommendacion and thankys ye shall remembre my Lord how ye laste departed fro hym and sh to reherce to hym the articulis that comyth to yowre mynde, that beth comprehended yn the olde enstrucc[ion], the whiche ye delyvered un to my Lorde ayenst the Mayeris wyll, savyng my Lordes commaundement, ffor sympelnys of enditynge and writyng, considering his high astate; bisechyng hym to have the articulis ayen, yff hit plese hym, for youre better enstruccion; ffor this cause that y wolde noght hit were y-knowe that suche writyng cam fro me, leste the parties signe defaute yn me, and be more werce willed and dangerous to entrete. Nertheless if my Lorde suppose eny article comprehended theryn be not trywe, hit shalbe avowed trywe by a nother mene; and if my Lorde wyll that the same boke shall be avowed, hit shall be a bide by, and pryved trywe every poynte comprehended theryn.

Forthermore, ye shall reinembre my Lorde of oure comyng

haste to London; of oure beyng ther; and how we departed thens. Ferst, howe we cam thider, and kepte oure daye, by the Kynges commaundement and by my saide Lordes, atte first day of the xve, and sholde have receved the articulis the Wendisday next after. But by the speciall dilygent and tendre laboure, ferst of M. John Druell, youre unkell, and after by prayer and desire of alle other of that parte beyng ther at that tyme, we were prayed and desired to abide with the articulis un to oure comynge home, for theire evidence and theire better counseill to make theyre articulis was at home, and that we be delyvered therof by boke ended, yn shorte tyme after oure comynge home; wher to we truste[d] fully, and therfor called no more upon my Lorde to have the articulis delyvered there; and elles we wolde truly to have had tyme fro that xve ynto this xv^e to have made oure answe, and yet that tyme had be full shorte, considerynge, etc. How we sped whenne we come home, hit is comprehended yn the olde forsaide enstr[uc]cyon, all most anon to the ende of the Parlement. What hath be seide and don sithen ye come ho[me] fro the Parlement, ye knowe right well; ye have be at alle tymes present. Apon the deliverance of whiche ar[ticulis] to us covenant was at London that we sholde have had a comunicacion to breve the mater at home ayenst oure comynge to London at thys tyme, to my Lordes eyse and pleisere. How y have labored and called daylly to have the articulis delyvered, and comunicacion ther apon, as covenant was at London, ye knawe well; and so y praye yowe enfourme my Lorde for oure excuse, and how the articulis were delyvered us but a Thursday a fore Palme Sunday,^a and that full sympelly yn paper, and afterwarde, at oure prayer and request, yn parchement, but noght ended, as covenant was; they excused ham, and wolde noght therof. Y wolde have comyned w^t ham to have breved the mater, as covenant was, and as hit is aforsaide; and they seyde they hadde no power therto, ne cowde ne wolde not, but hire all thyng that y wolde seye, and eve me none answe, but reporte me. And

^a 4 April 1448.

y thoghte, and seide that was no reson ; y seyynge if they wolde keep ham clos, y wolde do the same, and seye to ham right noght ; and if they wolde eny thyng se and disclose, y wolde the same and more, to the entente to bryve the mater ayenst oure comyng be fore my saide Lorde atte terme, at his eise and pleisere. They wolde therof yn no wise, but made protestacion, as tochyng the articulis, that they wolde *addere ad^a diminuire*, the substance noght changed, oon article excepted, the whiche they wolde adde yn substance ; and thus be we uncerteyn as yet of the articulis, and almost but as we departed fro London ; and God wote that is not oure defaute, for as ye knowe right well as fer as y myghte honestly y have called upon almost dailly to have the articulis delyvered, and a comunicacion ther uppon yn this mater, as hit is abovesaid ; the whiche if hit had be had, w^t the grace of God, hit sholde have breved the mater, and turned to eyse to alle parties, and to my Lordis pleisere. And thus hit appereth hit is noght oure defaute, trustyng to God that oure party advers woll seye the same and they have seyde. And y seye by my trowthe, as y conceive, hyt is not myche theire defaute, that we have spoke and treted there with none of the Chanons at Excetre, ffor they have be and beth right yvell apayed of this longe taryng and delaye of the articulis, and of myche other thyng, and yn the best wise wyll to entrete and to make an ende, and fyndeth theire excuse by my Lord Byssshop of Excetre, and by theire counseyll ; but, as y conceyve, ther groweth myche thyng out of oo place and oo person specyally, etc.

Ferthermore, y pray yow, what reporte that ever hath be made ayenst us by the Chanons part afore this tyme, for oure blame, that noght withstondyng, that ye reporte the beste and as trewthe is of theyre gode and sad governaunce sithen oure departyng fro London, for theire thanke and worship : ffor, by my trawthe, they and alle theyris by theyre governance have governed ham yn the most best, gentyll, and saddist wise, to all ententis, sithen oure departyng fro London. Ferst, they seyng the streyte rule that

^a Sic MS.

the Mayer sette in the Cite for kepyng of the pees, they confourmed ham to the same, and ruled ham and alle theyris ther after, and so, blessed be God, that all nyght walkynge, yvell longage, visagynge, sholdrynge, and all riatous rule, is lefte, and gode rule y-come yn place, y-blessed be God and my Lord Chaunceller. For now ther is by twene the parties, as hit is conceyved, grete gode wyll, worship, courtesy, reverence, yn procession specyally; fayre, gode, gentell, and curteys longage; gode chere and right wellcome, gode welfare, and grete festis yn the Chanons parte, and of youre unkele M. John Dru[ell] most specially, and every day better then other, thanked be God; and all groweth of my Lord Chaunceller, as [hit] is well conceyved. God continue hit! For y ther^a seye hit feithfully, yf this rule had be had and kept a fore this tyme, we hadde never be yn this debate; and yf it be contynued, myche hertis eyse; the [strife?] to be at an ende, and never to be yn debate no more, w^t the grace of God. For now, if eny thyng be amys yn theire parte, the Mayer sendeth to tham to amende hit, as so they doth, yn the beste wyse, w^t sharpe execucion; and if they sende to the Mayer, the Mayer doth the same for his parte. And thus hit semeth that longe tarynge of delyverynge of the articlis, and entretynge of the mater, hath do eyse, pryvyng the wyll and the pacyence of bothe parties, as now is pryved every day better then other; w^t this, that my saide Lord Lord^b Chaunceller be gode and gracious Lorde to oure partie to have resonable dey to make an answer to the articulis, considerynge longe tyme that they have hadde yn makynge of the articulis, fro the xv^e of Seynt Hillary yn to the xv^e of Pasche; and yet they have not nywe made ham, but corrected the olde, that were delyvered to us yn the xv^e of Seynt Mighell, yn the whiche the substance of the nywe articulis ys myche comprehended. And so, as hit appereth, they have had tyme of makynge of theire articulis fro Mighelmasse yn to now; and by reson the grounde of theire articulis was knowe be fore or they purchased theire nywe chartre of oure Soverayne Lorde the Kyng, and

^a ther; i.e. dare.^b Sic, MS.

so longe tyme a bowte litell thyng, as hit appereth. Theire articulis yn substance is comprehended but yn iij thyngis. Oon is, that they cleymeth to have the Cimiterre fre, ceperat fro the Cite of Excetre.^a A nother article^b that they cleymeth to have a fee called Seynt Stephenys Fee, ceperat and distyncte fro the Cite of Excetre, and no parcell of the same, and as they cleyme, and as they seyn, and uttred by Hengeston, of yldre tyme then is the Cite. And if hit so be, hit is harde to answeere. Hit asketh meny grete encerchis ; ffyrste, yn oure tresory at home, a monge full meny grete and olde recordis ; afterward at Westminster, fyrste yn the Chauncery, yn the Eschecour, yn the Receyt, and yn the Towre ; and alle these encerches asketh grete laboure longe tyme, as after this, to make oure articulis, we have meny true ayenst oon of theyris. All this asketh longe tyme, and we can noght do, yn to tyme that we have and knowe the certeynte of theyre articulis ; bysechyng my saide Lorde Chaunceller to considere all this, and that the articulis that beth derke may be declared and delyvered yn certeyn, and of suche recorde that they be not varied fro ; so that if they be lawfully answered, that the parties be stopped, as yn a Courte of recorde, by wey of plee, etc. ; and that we have dey resonable to answeere and article, so that for shortnys of tyme to answeere and to article, that we be not desert, as we truste yn the favour of his gode and gracious Lordship.

Ferthermore, as tochyng the iij^{de} article, yn substance is the Kynge oure Soverayn Lordes grete graunte, the whiche we can noght, ne may noght, ne wyll ne dar noght answeere ne despute ; ffor of his riall power he may do what he wyll, for all thyng is at his commaundement, body, londe, and gode, etc. ; trustyng to God and oure Soverayne Lorde the Kynge, of his highnesse and grace, and my Lorde Chaunceller to be gode mene therto, that we mowe be demened after his lawis, and as right requyreth. And y pray yow,

^a Here the following words are struck out—"the whiche y truste to God wol be answered and determined by evydent writyng."

^b *Sic* MS.

what was seyde yn the Gildehall at Excetre a Trusday yn the Ester wyke, first of oure Soverayne Lorde the Kyng, afterwarde of my Lorde Chaunceller, and how the puple beth willed and set, foryete ye hit noght, but lete hit be truly reported, as fer as hit comyth to youre mynde.

Indorsed. Letters of Instruction.

XXII.

A MEMORANDUM SENT BY SHILLINGFORD TO SPEER IN LONDON, to be delivered to the Chancellor. After 10 April, 1448.

Upon the breach at Tiverton between Radford and Hengston the Mayor spoke to Harry Webber, and the matter was put to the arbitration of Radford and Coplestone, but the entreaty is broken off again, he knows not why.

Me^d that apou the breche at Tyverton bitwen Radford and Hengston, of whiche reporte was made to the Mayer, he pen by the speche of the seid Radford, and by labour and spekyng of Syr John Wolston, and other, was ynduced to speke wyth Mayster Harry Webber, and so I dide, beyng presente the seyde Sir John Wolstone and John Coteler; at which tyme ther was right gode and gentle communicacon, and thus accordide, and that by the motiun of Mayster Harry Webber, that John a Copleston and the seid Radford shuld have the mater yn communicacon, and as for oo poynt or tweyn yf such were, that they myght not accorde therof, &c. than the parties to be bounde to byde the reule of the lordis, &c. Of the which mocion the mayer was right wel apayed, and wyth assente of hys felowship fully agreyd hym therto, with all ther hertis, for hit was accordyng to my lord Chaunceler ys comaundement, &c. Wherapon the seyde John a Copleston and Radford, by two joynte lettris, yn name of the seyde Mayster Herry and the seyde Mayer, were sende fore yn all haste. And so they come and were yn communicacion by two dayes, and desirid the partyes to be

bounde to bide the reule, ordinance, and arbitrement of them. The whiche was agreed wyth this, that of such thingis as they myght not accorde of to be putte on the lordis as hit aboveside, &c. They wolden not therof yn no wyse, but seide that thei were discharged and dymysyd by the lordis, and so at large, and that they wold sue ne have a do ther no more. For this matter we seyde that we knew not therof, ne not so wolde, ne hit was not our parte yn to tyme that we had other knowliche, &c. They seyde yf we wolden so aggre us, that the Kyng and the lordis shulden thanke us, and that they wolden undertake uppon ham. Wherapon yf so, &c. hit was agreed. After this ther was a nother communicacon, and then yn ther rehersall they wolde that the seyde Mayer shuld have sued for a discharge to be delyvored and departid for the seyde lordis. The seyde Mayer wold noght therof yn no wyse, ne so departe fro the lordis, hit was not his parte to do so wythoute ther special comaundement, the whiche comaundement, yf they wolde ordeyne and gete, the Mayer wyth his felouship wyth right a gode wille wolde aggree hem, &c. The whiche seying was amytted, seying hit shulde be done, and bothe parties agreed therto, and so departid atte þt time, &c. Sythenys the parties were never callid to gidre, and so this mater ys broke up, the cause not knowed to us yn no wise. This mater write yn hast I praye yow to understonde h^t well, and by þe avyse of Dowryssh to amende þe makynge þerof, if nede be, and þen to write h^t clene, and have h^t yn youre hond when ye speke w^t my Lord Chaunceller as for yowre instruccion. And when ye may take a tyme yn comunicacion to delyvere hit to hym, saynge to hym þt þis was sende after yow yn grete hast for youre instruccion yn þis mater.

(Signed) J. M. [John Shillingford, Mayor.]
S.

Furþermore þt ye be fully remembred to meeve my lord Chaunceller þt no suyte be graunted ayenst us yn no wise, &c.

To William Spere be þis delyvered.

Indorsed. Letters, enstruccions, and other remembrances.

XXIII.

WILLIAM SPERE TO SHILLINGFORD. After 19 April, 1448.

Has arrived in London and delivered the Mayor's letter to the Chancellor to Radford, who said he would present it the next day, and would see the Chief Justice. The matter was on in the Common Pleas, and was postponed. Describes the scene at dinner, when the letter was delivered to the Chancellor, and reports fully upon the proceedings in London.

[Memo^d that on Saturday the xii^e day of Aprile Thomas Dowrissch, and William Spere with hym, rode owte of Excetre to London wardis, and came to London on tuysday next folwyng,^a at iij. atte belle afternone, and anon as we came by my mayster is avis, and as the Mayeres commaundement was, &c. Y William Spere inquired as for John Afild, and soghte hym yn dyvers placys, and coude not fynde hym, and when y came ayen my Maister Dowrissch seid to me that he was don to wyte that my Mayster Radford and my Maistresse his wyf were yn towne, and anon my Mayster Dowrissch lefte all his awne bysynesse, and went to seike my Maister Radford, and fonde him and seide that his Maister the Mayer of Exceter commaunded hym to hym, and apon that comyned with hym prevyly of the letter that we hadde to my lord Chaunceller fro the Mayer, and what was comprised yn the letter, and he was a passynge gladd man chery hardely, and seid he wold bere the letter hym self to my lord Chaunceller on the morun, and that my lord hadde bede hym to dyne with hym that day, Wendysday. Nethelez he seid that he wold go furst^b [to] my lord Chief Justise, and recommaunde the Mayer and the comynes of Exceter to hys gode lordship, as his men and pore bedmen, and how that my lord Chaunceller efte, at Hillary terme, wrotte unto my lord Bysshop of Exceter, that touchyng the grete mater yn variance, &c. not with

^a 16 April, 1448.

^b furst—in place of "furst" there was originally "and comyne with."

stondynge that hit be by hym tained yn the comyn lawe, yet wold conforme to entrey as efte, and the mater to be comyned and entreted at home, and that that was harde and diffuse, and that we myght not accorde therof, reporte to be made un to my seid lord Chaunceller, and other lordis, and to the other to lordis Justices, they to make an ende accordant to the Kynges commaundement; and how that the Mayer and comynes offred ham self to alle maner resonable entrey, and a entrey hadde, and the gentelnesse and favor and proffers that was on the part of the Mayer and comynes, and of all the mater, with the circumstance full and hole, and of the breche, &c. And my Mayster Radford, and my Mayster Dowrissch, can enforme yow better than y, for y was not all thyng so nye ham to hire and knowe alle thyng that was seid and comyned, for my degree was not, &c. And there they comyned a grete while, and my lord Fortescu seid many things as me thoghte, and onys y herde hym seye, with right a gladde spyrate, "And my lord Chaunceller wold be endyfferent, we shall have a gode ende y truste to Almyghty God and owre lady," and sone after departed. And anon upon that, my Maister Recorder went to Westminster, and Dowrissch, John Afylde, and y with hym, and ther anon the mater was called upon yn comyn place, and forthwith anon my Mayster Radford send for Henry Brok, and charged hym that he sholde not appere as for attorney, and he seide no more he wold, bote he prayed the Justises wolde respite hit yn to yo^r comyng, and seid the were comyng and wolde come, as sone as ye myght. And anon ther was grete callyng apon by Moyll, Wode, and other that were of conseil, were^a the Bysship; that not with stondyng, the mater was putte yn respite yn to the morun by alle the Justices.

And so then the Recorder went to Lambeth to dyne with my lord Chaunceller, and y delyvered hym the letter, &c. and seid that y wold awayte upon hym there as sone as he hadde dynded, and so didde, and withyn an oure after wardes he toke his leve of my lord,

^a were—(*sic*) MS. ? with.

and toke a bote and went to Temple, and y with hym. And there he tolde me that he dylivered yo^r letter to my lord, or my lord went to his dyner, seyyng that the Mayer and all the hole Communalte of Excetre recommaunded tham unto his gode and gracious lordship, and ^a his man and pore bedman, and kyssed the letter, and putte hyt yn to my lordes blessed hond, and my lord with a gladde contynance receyved the letter and seid that the Maier and alle the comynes sholde have Cristis blessing and his, and bade my Maister Radford to stonde up, and so didde, and anon my lord breke the letter, yeven while gracias was seyyng, and ther right radde hit every dell, or he went to his dyner, and when he hadde full radde hit he kepte hit with hym stille, and seid, with a myry chere chere (*sic*), these wordis: "Radford, when we have dyned we shall comyne of this mater, and alle shall be well, with Goddes grace," &c. After dyner my lord called the Recorder to hym and comyned hym certyn thynges yn the mater, as me thoght by his menyng, of the whiche y wote well he hath comyned privyly with Dowrissh, or elles he woll enfo^rme yow of alle at his comyng fro Canterbury, for y went yn hast and made Dowrissh to come to hym to Paulis, and to comyne with hym of his beyng with my lord, &c. and so he didde, and somme of the comynyng y herde, bot all y myght not, bot afterwardis my mayster Recorder called me to hym and seid that ye shold wryte un to the kyng of this mater, rehercyng yn yo^r wrytyng that there as afte hit liked the kyng to yeve yn commaundement by his letters under his prevy seell to the Mayer and the Communalte of the Cite of Excetre, to abide the rule and ordynance of his Chaunceller of Engelond, and his two Chif Justises, of the grete maters yn variance and travers bytwene the Bysshop of Exceter and the Deane and Chapiter there, and the Maier and Communalte of the same, and so hongying the mater yn entrety by the kynges commaundement, that not with stondynge the mater is a tained at large by the Bysshop yn the comyn lawe, contrary to the kynges

^a and—(*sic*) MS. 2 as.

commaundement, wherof that hit liked the kyng of his hignesse to yeve yn commaundement to the seid Bysshop to cesse of his sute, and to abide the rule of the seide jugis of the seide mater yn travers, &c. And y was right gladde of his seying, and seide that y wolde seye yow so at yo^r comyng, and so y toke my leve of hym, and he went to his soper, and the morun Thursday ^a by tymes he rode to Canterbury wardis, and his wyf with hym, a full sike woman hardely for she hadd sore falle of hire horce. And forþwith y went to Westminster, and spake with Dowrissch and Brok, and seyde to Brok that he sholde not appere as attorney for the Mayer and Comynes, and he said [he] wold not. And anon the [mater] was called apon, and the Justises mervaillynge that the Mayer came not, and ther apon yssuys were yn maner assessed at vij^{li} as for the two writtes, then hit was seid to the Justises that the Mayer was comyng, praying tham to respite, &c. yn to the morun. And so they didde full gentilly. And anon S^t John Wolston came to me and asked why ye were so longe, and y seid the wold be here yn hast, w^t Goddis mercy, and then he seid that he wold fayne that there myghte be a gode ende yn this mater, and y asked by what mene, and he seid by entrey, and no rigo^{ste} of lawe, and y seide and he wolde so he wolde not lete calle so fervently atte barre apon the Mayer and Commynes, &c. and y seide furthermore that the Maier and Commynes at alle tymes have byden alle resonable entrey before thys, and yet bene redy to abide as y conceyved, and anon he seide me that there were many wylde and unresonable felows of the Cite of Excetre. And y asked what they were, and he seide William Hampton of Exceter, and other of the Sergeantes. And y asked why and for what cause, and he seide, with a high spirute, that William Hampton and other of the Sergeantes seid at Excetre, yn William Gyfford is hous, there yn hiryng of a priest of my lord Bysshop of Excetre there beyng neghe atte that tyme, that there shold meny a priest of the close of Exceter lose his hede onys of

^a 18 April, 1448.

myssomer yeven. And y seide y darst well seye that he ne none of his felow ne none other of the Cite seid never so, and asked yf eny other men cowde seye and wolde avowe that, and he seide he knyw none that wolde ne kowde sey so, saf the seide priest, and y seid that his tale was not be lyved, for hit wolde be supposed ever of yvell wille and none other. Also he seide un to me that my lord the Bysshop of Excetre hath write unto the kyng of this entretrety hadde at home, and how that he obeyed hym yn the most lowly wyse to all entretrety resonable, and came and labored yn his awne person to seke the weyes and menys of pees to hym grete un yese, and grete menys offred yn hys part, and yet that not wyth stondyng the entretrety broken of, trustyng to God no defeaute to be assigned ne founde yn his part, &c. The Friday^a y came to Westminster, and there at [*blank*] at belle the mater was called apoun by oure party aduers

[*The MS. here breaks off abruptly, as if unfinished.*]

XXV.

SHILLINGFORD TO HIS FELLOWS. (?) April 1448.

[Draft Letter.]

Was at Windsor on S. George's Day [23 April], and tarried there all day. Wednesday he came to London. The blame of the breaking off the last great entreaty at home thrown on the City, because they would not agree to give up the power to arrest canons and servants in the churchyard. They came before the Chancellor and two Justices at Lambeth, "after mete." Hengston not being there it was adjourned to the Exchequer Chamber till the morrow.

Worthy sirs, y grete yow well alle, doying yow to understonde that y was at Wyndesore to London wardis on seynt George is day, and there taried almost all that day, and cowde not hyre ne knowe

^a 19 April, 1448.

there of noo thyng comprehended yn the letter y sende home to yow by William Duke, ne of none other thyng, bot all ther as well as hit was wont to be, and as y suppose with laboure and other thyng that longeth therto, yf men wyll better may be. The Wendisday y came to London, where was moche longage of oure comyn mater, and specially of this laste grete entrety at home, how hit was broken up, and for right litell thyng, and all yn oure defaute. Thus hit was y seid that accorde was hadde here at home by the seide entrety, that the Bisshop sholde have his fee church and cimiterie parcell of the same, as he claymeth generally, and generall municion yn the church, we to have right noght to don ne make none arestis withynne his fee, bot yn the cimiterie to make arrestis, excepte of the Bysshop and his mayny, chanons, and alle men of habite, and for we wolde noght aggre bot to have power to arreste chanons men servants familiars withynne the cimiterie, was only cause of brekyng up of the seide entrety. Y of purpose mette with Sr John Wolston, of wham y suppose growe all this untrue longage, and asked hym, &c. He seid every word, and that the accorde was suche as hit is abovesaide, with more that ther was writyng therof, and by what menys y write, by the hondis of John More, yn presence of my lord of Devonshire, atte Blak Freris at Excetre, all redy to shewe; y seide if any suche writyng were knowe and proved by my seide Lorde and the other arbitrous, we moste nedys and with right gode will wolde abide hit, or any other reporte that they wolde make. This same day Wendisday, as sone as y was come to towne ayenst mete tyme, my lord Chaunceller send for me yn hast. Y came to hym in Lambyth, wher y founde the ii Chif Justises of purpos moche^a y suppose: of wham alle and specially of my lord y hadde right gode chere, never better, and right well come yn the best wise. Y spake with my seide lord and the Justises, apart fro my Conseill, a grete whiles. They moved me to knowe of the entrety and departyng at home. Y prayed my lordes

^a moche—? mette.

to have my Conseill to seye for me. He graunted hit to me. S^r John Wolston was yn the utter chamber, and wolde come noo nyre, and for as moche as Hengston was not there hit was enjoined over yn to the morun at Westminster, yn the Eschequer Chamber, wher Hengston reported to my seid lord as S^r John Wolston hath as hit is aboveseid, excepte of writyng. Y answered and seide y knywe noght therof, nee of noo such accorde, ne cowde make noo reporte, and asked of hym what knowliche he hadde of that he reported. He seide as he herde hit reported. Y asked of wham. He seide the comyn voys of the Cite. Y seide of none bot of soche as were of theire part, and by tham self. Y seid forthermore that y was enformed by S^r John Walston ther beyng present that ther was writyng of that reporte, as hit is aboveseide.

XXVI.

SHILLINGFORD TO HIS FELLOWS. (?) 24 May, 1448.

[Draft Letter.]

He left Exeter on Wednesday next after Corpus Christi, and reached London on the Saturday following. He describes his interviews with the Chancellor and the two Chief Justices.

Worthy siris, ryght feyne ffrendis and ffelows, y grete yow well alle, doying yow to understonde that on Wendisday next after Corporis Christi day, as ye knowe right well, after vj atte klokke yn the mornyng y rode oute of Exceter to London warde; the Saterday next ther after at vij atte klokke by the mornyng y came to London, and so to Westminster, and ther mette with my lord Chaunceller, he beyng yn right grete bysyness; as sone as he sawe me seyde right hertely, "Mayer well come," and toke me by the honde, and made me right gode chere, and so departed fro hym at that tyme. That day y hadde right grete bysynesse: furst y went yn to the Escheco foroure mater of Exmouth, and there y spedde spede can and may spede resonabyllly well. That day on Westminster halle y mette

with Sr John Wolston, and other of oure [and] theire conseil, of wham alle y hadde gode chere, and as they seide that y was right well come. Afterward y spake w^t the chif Justis Sr John Fortescu, goyng w^t hym homward, and hadde with hym right mucche gode longage and wordis of comfort. After this y spake with the chif justice Sr Richard Nuton, thankyng hym of his favor the last terme, &c. He, a full gode man, seide he wolde do for me what he myght godely. That day y comyned w^t oure conseil of oure maters, and hadde wordis of gode comfort to spede right well. That day after none y wold have be at Lambeth w^t my lord, bot y came not there because that Wolston was there that day. The morun be tyme y came to my lord, and hadde hym at right godd short leysor; to wham y recommended you all to hym yn the best maner that y coude, thankyng hym of his gode lordship, &c. praying contynuaunce at this tyme specially, and to helpe that we myght have a gode ende by doyng after the kynges commaundement, for elles we most to a triall, and that were harde. He seide, "God hit forbede, then sholde ye never love, and that were pyty," and he seide he wold speke with the Chif Justise Fortescu, and þen another rule, &c. Y thanked hym and seide, "My lord, they take grete boldenesse of ij thynges, oon of truste of the Shurf, another apon the lawe, y truste to Gode other wyse than they shall fynde hit." Also y seide to my lord that we hadde be yn debate by dyvers tymes, almost by tyme of viij^{xx} yere, and that y coude never knowe fynde ne rede that we ever toke a sute ayenst tham, but ever stonde yn defence, as a bokeler player, and smyte never, and that y hadde to seye fro you to hym that we were fully avysed, with leve of his gode lordship, onys to smyte, takyng a sute, for we hadde meny and dyvers causis, and they hadde none, bot that we wold no thyng do bote that his gode lordship hadde knowliche of, for we wold attempte hym yn no wyse. He thanked and seyde that he coude not blame us. Y seide, "My lord, thus we most beare, serve and defende," that not with stondyng that, we wold be all redy at all tyme to obeye the kynges commaundement and his.

XXVII.

PETITION OF THE MAYOR AND CITIZENS OF EXETER TO THE
LORD CHANCELLOR AND THE TWO CHIEF JUSTICES.

The evidence being ready, they pray for a day for the cause to be heard before the Lords, according to the King's commandment. The matter "hath honged yn debate by tyme of iiij yere, of which tyme almost two yere yn yntrete." This petition appears to have been appended to a brief of the evidence produced before the Chancellor and the Justices. No. XXIX. is evidently taken from it.

Please hit your gode and gracious lordshippis to have yn knowliche that the evidencis wherof short tytelyngs both made yn the Articulis abovesaid both redy to shewe wyth many mo other and dyvers concernyng the title clayme of franchises and libertees of the seide Cite of Excetre, some here redye to shewe and somme restyth at Excetre, for grete cariage and nought yet encerched, for the mayer right long beyng here, by dyvers tymes, by the Kyng our sovereign lordis comaundement; after whas first right streite and ferfull comaundement, by resonable warnyng, at suche leysur tyme and place competent, as hit woll like yo^r gode lordshippes to comaunde ham to, shall be redy to be shewed, and specialy suche as you woll comaunde ham to bryng and shewe, next and best to end the mater and all other thynges, redy to obeie and don accordant to our seyde sovereign lord the Kynges first comaundement abovesaid. The whiche seid evydencis so shewed and right proved conceyved and knowed, We the Mayer and Comminalte lowly beseke yow our lord Chaunceler, moste specialy, and yow our two other lordis, to procede and make and ende after the Kyngis comawndement, and as lawe reson and right requyren. And yf the right by evidence be not declared, by such a mene, as yow seme by yowr gode lordshippes and yn your conscience next to the right ys to be don to make an ende. Consideryng these premysses, and that this mater hath honged yn debate by tyme of iiij yere, of the whiche tyme almost ii yere yn entrete, the whiche hath ben to the seid Mayer

and Comminalte right grete labour, trouble, vexacion, coste, lost, and other right grete hurte and hyndryng and moche more like to fall, as well as right meny other perils and ynconvenyencys yn subvercion and anyntysshement of the seid Citee, and dysheretyng of our seyde sovereign lord the Kyng, and the Mayer and Comminalte, of lesse then an ende be like to be made.

Indorsed. A request to the lord Chauncelor for a day.

XXVIII.

A MEMORANDUM OF AN ADDRESS TO SIR RICHARD NEWTON at the Assizes, desiring him to decide the matter, with the assistance of Sir Philip Courtenay and Sir William Boneyll. (?) August, 1448.

And where as ther hath longe honged a mater yn travers betwene my lord the Bysshop of Excetre and the Deane and the Chapitre and the Maier and the Comminalte of the Cite of Excetre, whiche by the kyngs commaundement was putte yn compremys and rule of my lord Chaunceller, callyng to hym the ii Chif Justises, whiche mater hath longe tyme honged be fore tham yn comunicacion and entrety and yet remayneth undysscussed and unended : now late my lord Chaunceller hath yeve yn commaundement to bothe parties generally to entrete and to procede to gode conclusion of the seide mater at home ; uppon whiche my lord Chaunceller wrote to S^r Richard Nuton, oon of the ii Chif Justises, desiryng hym to move the parties now at the assises yn bothe sides to the same entent ; wherapon the seid Justise, on Sondey that last was, called severally bothe parties be fore hym, and moved ham that the seide mater myght be comyned and entreted by John of Copleston and Nicholas Radeford, and by theym to be brought to gode conclusion and gode ende be twene this and the next terme, whiche entrety and com-

municacion shold be gynne a Tuysday next comyng; to whiche bothe parties at that tyme were aggreable, and for as moche as hit ys sythenes fully conceyved by the seide Mayer and Comminalte that the ende of the seide mater is non certyn and doutefull to make conclusion and ende by this maner of mene, the seid Mayer and Comminalte woll beseke you at the reverence of God, that hit may please yo^r gode lordship to take this mater yn your gracious hondis, callyng to yo^r lordship my maysters S^r Philip Courtenay and S^r William Bonevyll, and such rule as hit may please yo^r gode lordship to appoynte yn the seid mater, the seide Mayer and Comminalte will abide yo^r commaundement yn all maner wyse. Please youre gode lordship also to calle be fore yow the seide John of Copleston and Nicholas Radeford, as for the declaracion of the titulis and claymes of bothe parties.

Indorsed. A mocyon that the controverse might be compromysed to S^r Philip Courtenay and S^r W^m Bonvyle.

XXIX.

PETITION OF THE MAYOR AND CITIZENS TO THE EARL OF DEVONSHIRE, SIR PHILIP COURTENAY, AND SIR WILLIAM BONEVYLL, praying them to make an end of the matter which had been "yn debate by tyme of iiij yere, of the whiche tyme almost ij yere yn entrety."^a

Please hit youre gode lordship my lorde of Devonsshire, and yow oure to Maysters S^r Philip Courtenay and S^r William Bonevyll, and and also yow oure two other Maysters S^r John Copleston and Nicholas Radeford, to have yn knowliche that alle the evydences whereof writynges shorte titelynges or mencyon both made, the orygynallys or true copyes therof both redy to be shewed with right meny other dyvers and moo, concernyng oure right, title, and

^a It occurs at the end of a fragment which appears to have been a statement of the documentary evidence adduced before the arbitrators.

clayme of franchises and libertees of the seid Cyte of Excetre, to prove oure ententes, and specyally suche as ye well commaunde us to bryng and shewe next and best to ende the mater. The whiche evidences so shewed and right proved conceyved and knowed we the Mayer and Comminalte lowly byseke yow oure seid Lord and yow oure other Maysters alle so to procede and make an ende as lawe, right, reson and conscience requyreth. And yf the right by evidences be not declared by suche a mene, as yow seme yn youre consyence next to the right is to be done to make an ende after the kynges furst commaundement considryng the premisses. And that this mater hath honged yn debate by tyme of iiij yere, of the whiche tyme almost ij yere yn entrety, the whiche hath bene to the seid Maier and Comminalte right grete laboure, troble, vexacion, coste, loste, and other right grete hurte and hyndryng, and moche more like to falle, aswell as right meny other perilles and ynconvenyences yn subvercion and anyntysshement of the said Cite, and dysherityng of oure soverayn lorde the Kyng, and the Maier and Comminalte, of lesse than an ende is like to be made.^a

^a The end was made by an award which is printed in the second part of this volume after the Articles and Answers.

END OF PART I.

PART II.

THE ARTICLES OF COMPLAINT, ANSWERS, REPLICATIONS, AND REJOINDERS,

BETWEEN

THE BISHOP, DEAN AND CHAPTER, AND THE MAYOR,
BAILIFFS, AND COMMONALTY OF THE CITY OF
EXETER.

PART II.

The Articles of Complaint, Answers, Replications, and Rejoinders, between the Bishop, Dean and Chapter, and the Mayor, Bailiffs, and Commonalty of the City of Exeter.

XXX.

THE MAYOR'S ARTICLES OF COMPLAINT AGAINST THE BISHOP, DEAN, AND CHAPTER.

Thees ben the articulis of the right grete injuries and wronges done by the Bishop Dean and Chapitre yn severall and comyn of the Cathedrall Church of Seynt Peter of Excetre theire minesters officers servantis and tenaunty done to the Maier Bailiffs and Communalte of the same Cite by protestacion to resorte to theire name of corporacion accordant to theire title of prescripcion grauntis of the Kyng and his proginato's to syne and to be syned.^a

ARTICLE I.

Furst. The saide Maier Bailiffs and Communalte seyn that the saide Cite of Exceter of right olde tyme y called Penholtkeyre the most or one of the most auncion cite of this londe of whas begynnyng no man can fynde ne rede, the whiche cite afore the enc[arnation of Christ]^b was a cite walled and suburb to the same^c of most reputa-

^a The text of these articles is taken from fragments of two drafts, Rolls I. and II., here distinguished as A and B for the purpose of collation. The title is from B.

^b B adds—and by longe tyme sithenys.

^c B omits—walled and suburb to the same.

cion^a worship defence and defensible of all th[ese parties and yet is yn tyme of nede] and moste ^bfavoure and socoure to alle the Kynges puple of the londe specially yn tyme of werre repairyng thereto.^b [The whiche] cite sone apon the passion of Crist was by Vaspasian biseged by tyme of viij deys; the whiche opteynyd not the effecte of his sege ^cand so wende forth to Burdeaux and fro Burdeaux to Rome and fro Rome to Jerusalem and there he^c w^t Titus byseged Jerusalem and opteyned ^dand solde xxx jywys for a peny as hit appereth by Croniclis: and alwey the saide Cite of Excetre hole and undevided yn worship as hit is abovesaide yn to tyme of the comyng thider of the Bisshop and Chanons. Afore whas comyng there that now is a Cathedrall Church and a paleis was a Monastere and a cite of blak monekys of the order of Seynt Benet y-founded by Kyng Athelston. The whiche monastere and cite, now Cathedrall Church cimiter and paleys, is and alwey hath be yn and of and parcell of the saide cite and under the jurisdiction and power of the same. The whiche cite with suburbis of the same is auncion demene and at alle tymes as well a fore the conquest as

^a B omits—reputation.

^b B has in place of "favoure to thereto"—strengthe favour suppotation and socour to the Kyng and to all his puple yn tyme of necessite.

^c and to be—The whiche afterward. B.

^d and to beyng, p. . B has—and so the saide Cite of Excetre stode as a Citie hole of most worship prosperite defence and defensable of all that party of the londe as is abovesaide, yn to tyme that there was a Monastere or abbey of Black Monkys of the order of Seynt Benet, there the saide Cathedrall Church Cimiter and paleys is now. And so yn their tyme contynued yn like prosperite by longe tymes yeres and days un to tyme of Seynt Edward the whiche voided the saide Monckys and chonged the saide Monastere yn to the Cathedrall Church that now is and possession of the Bisshop Dean and Chapitre and their predecessors. Afore whiche chonge and atte tyme of the chonge and even continuall sithen the Monastere Cathedrall cite and paleys and churcheyerde to the same church belyng as well when the Cite was yn the hondis of the progenito's of the Kyng oure soverayn lorde as sithen were in parcell yn and of the same cite; w^t ynne whiche Monastere Cathedrall cite paleys and churcheyurd as well the progenito's of the Kyng forsaide as the Maier and Citeseyns of the same cite sythen they have had hit to fe ferme, have ben seised of all maner jurisdiction of alle maner plees reall and personellies of tyme that no mynde renneth, surdans moved comyng and fallyng w^t ynne the same as parcel of their fe ferme forsaide.

sithen hath be the Kyngis cite longyng to his crowne a fore eny Monastere or Cathedrall Churche as hit is abovesaide ther had. The whiche cite w^t suburbs of the same the saide Maier Baillifs and citeseyns and their predecessours have had and holde yn fe ferme of the Kyng our soverayn lorde and his noble progenitours kynges of this roialme by tyme above saide; to whiche longeth view of frank plegge with alle articulis franchises libertees jurisdiccions and alle other proffitis commoditees and emolumentis as to any view of frank pleigge belongyng.

And they seyn that the citeseyns and their predecessours citeseyns of the same afterward the same cite toke to holde to fe ferme, and beffore the saide Kyngis of Engelande and or the same cite to theym so come, were seised of suche a view yn the same cite to be holde and of ij coroners of them self yn and of the same cite w^t many and other divers custumys libertees jurisdiccions ymmynnetees and franchises as well as sithen by ceverall letters patentz of divers progenitours of oure soverayn lorde the Kyng and by hym by his letters patentz graunted ratefied and confermed, and have had used and enjoyed jurisdiccions libertees franchises correccions attachiamentis arestis and determinacions of alle offencis dettis trespasses deceytis detennys covenantis deliverancis contractis and alle other maters and accions, and for alle affrayes and assautis done or made ayenst the Kynges pees, and for alle thyng done bytwene party and party tochyng plee reall personell or mixte, surdans had moved comyng^a fallyng or growen w^t ynne the same cite and suburb of the same to be empled and determyned yn the Kynges courte of the Gildehall after the custum of the same cite affore the Maier and Baillifs of the same cite for the tyme beyng^d un to now late that the saide Bysshop Dean and Chapitre by coloure of certeyn letters patentz of the Kyng to tham severally graunted of jurisdiccion power and auctorite of suche pleges as ben above reherced, have lette disturbed and with drawen the saide Maier Baillifs and Communalte of their juris-

^a oomyng—MS. A.

^d See *ante*, long note.

diccion above reherced. And yn especiall that there as where oon Hugh Lucays tenant of the saide Bysshop^a, the most or one of the most mysgoverned man of all the cite of Excetre or of all the shire afterward, the whiche hath be cause of ij pollucions of the Cathedrall Church and Cimiter of the Cite of Excetre, made affray aponn oon Richard Wode yn the Kyngis high strete atte Gyldehall dore of the saide Cite of Excetre; apon the wheche affray oon John Glasyer a sergeant of the Cite of Excetre arested the saide Hughe, and he brake the arest and wende his way, and the saide John and oon William Wynslo another sergeant of the same cite ther sywed hym as their prisoner yn to the saide cimiter and so yn to the saide Cathedrall Church and seisd hym there. But as sone as ever the sergeantis were with ynne the church dore alle the doris there were shitte sodenly, as hit were done of purpos and for a trayne, notwithstanding that Richard Druell and Thomas Sampson ij stiwardis of the Cite of Excetre folwed fresshly with ynne the space of xvj. fote to kepe the pees and myght not entre yn at that dore ne none other dore but at one dore: and so they entred yn, and when they so come yn there they founde the saide sergeantis at grete myschif and their prisoner violently with strong honde take away fro ham, and apon tham by commaundement of the saide Dean and Chapitre S^r John Jon with a dore barre and S^r Lewis Walssheman John Panton and meny other minesters of the saide church to thaym unknowed wyth swerdis custellis long knyvis and yryssh skenes drawyn yn their hondis to have sleyn the saide sergeantis and wold so have sleyn ham ne hadde y be as God yeaf grace the saide stiwardis with other came yn to kepe the pees. And when they come yn they smote to the saide Richard Druell with a custell apon the Kyngis mace as hit is sygne yet, so that alle bothe stiwardis and sergeantis stode yn despayre of their lyvys and unneth scaped out of the church with their lyvys: by cause of the whiche the execucion of the Kyngis lawe and the violence done to their officers

^a Bysshop] A breaks off here "made affray, &c." The text is supplied from B.

yet remayneth unpunysshed to theire grete hurte hyndryng and damagis.

ARTICLE II.^a

Item the sayde Mayor and Comminalte sayen that there as where the tenantis and inhabitans of the sayde Bysschop w^t ynne the sayde cyte and subarbes of the same ben cessable and charcheabel, have been cessyd and charched and of righte awghte to be and 3yt ben w^t the citezayns and inhabitans of the same cite, and hath ben used levy perof to be mad by the Mayer and suche as he hath assigned and deputid p^{er}to, in alle maner demys, citezaynes spendyng, and the ffe ferme yf nede be, and al other taxacions taliages and charges as well to the Kyng owre soverayne lord graunted, and so hath be in the tymes of his noble progenitores as of al other contribucions and charges w^tynne the sayde Cite and as parcel of the same. And now the latist special acessyng and payement of alfe a deme wyche was acessyd and payed in maner and forme as by long tyme favoraboly hath be done; bote the forsayde Mayer and Comenalte most grevously complaynt of to tymes nexst there by fore of cessyng and paying of demys, one yn the tyme of John Coteler beyng Mayer and another tyme William Upton beyng Mayer; ate wyche bothe tymes the tenantes of the sayde Bysschop w^t others were warned to come to the Gyldhalle, as by long tyme hath bene done, to acessyng of the sayde demys. And as touching the sayd Bysschoppis tenantes they come nought, ne no wyse wolde come to a cesse ne paye w^t the sayde Cyte ate the to tymes above sayde bote by ^bthe Mynesters of the saide Bisshop and M^r Henry Webber specially^b of mere malice and euele wyl and by commaundement of the sayde Bysschop manacyng the sayde tenantes as wel as yn other chargis yf they dede the contrary [to] put ham out of theyre tenures. And so they derste nought come sette ne paye as thei have be woned to done. More

^a This article is written in another hand. It occurs in A.

^b the to specially] originally "one Maister Harry Webber wrongfully."

over the Mayer and Citezaynes sayen that by commaundement of the sayde Bysschop and special rewel of the sayde Maister Harry accessyng and levy was mad amonge the sayde Bysschoppis tenants of ij demys as a Cyte other a Burgh by hym selve. And so was hit never consydering that demys beth y graunted b and the money so acessyd and made levy keppe. and 3yt kept [Torn away.]

[This copy breaks off here. Other drafts of the Articles exist in Rolls VIII. and IX., the text of which differs from the foregoing to so great an extent that it has been thought best to print them [No. XXXI.]

XXXI.

THE MAYOR'S ARTICLES OF COMPLAINT AGAINST THE BISHOP, DEAN, AND CHAPTER.^c

[Draft.]

ARTICLE I.

For the furst article of their grevous compleyntis the saide Maier and Cominalte seyn that there as where the tenants and inhabitants of the saide Bysshop with ynne the sayde Cite and suburb of the same ben cessable and chargable, have be cessed and charged, and of right oughte to be and yet ben w^t the citeseyns and inhabitantis of the same cite; and hath ben used levy therof to be made by the Mayer and such as he hath assigned and deputed therto yn alle maner dymes citeseyn spendyng and the fe ferme yf nede be, and alle other taxacions talliages and chargis as well to the

^a The text of these articles is taken from two draft copies, neither of which is quite complete. The articles seem to have been revised again, as the text of the first, second, and fifth articles found in No. XXX. differs very greatly from that here given, and the Bishop's answer evidently refers to the former text. It is to be regretted that no complete copy of these articles as finally corrected can be found.

kyng oure soverayn lorde graunted and so hath be yn the tymes of his noble progenitours as of alle other contribucions and chargis w^t yn the saide cite and as parcell of the same. And nowe the laste specially assessing and payment of half a dyme, whiche was assessed and payd yn maner and fourme as by long tyme favorabilly hath be done: but the forsayde Mayer and Comminalte moste grevously compleyne of ij tymes next there be fore of cessyng and paynge of dymes, one yn the tyme of John Coteler beyng Mayer and another tyme William Upton beyng Mayer; at whiche both tymes the tenantis of the seide Bisshop w^t other were warned to come to the Gildehalle, as by longe tyme hath be done, to assessyng of the sayde dymes. And as tochyng the sayd Bysshoppys tenantis they come noght, ne no wyse wolde come to assesse ne paye with the sayde cite atte the ij tymes abovesaid, but by one M^r Henry Webber wrongefully of mere malice and yvell wyll and by commaundement of the saide Bisshop manassyng the sayde tenantys a^s well as yn other charges yf they deede the contrary [to] putte ham oute of theire tenuris, and so they durste not come sette ne paye as they hade be woned to done.

ARTICLE II.

More over the sayde Mayer and Citeseyns seyn that by commaundement of the sayde Bysshop and speciall rule of the sayde Master Harry, assessing and levý was made amonge the sayde Bysshoppis tenantis of ij dymes as a cite or a burgh by hym self, and so was hit never, consideryng that dymes beth graunted but of citees and burghis, and the money so assessed and made levy kepte and yet kepeth to the use of the said Bishop to grete hyndryng and anyntysement of the same cite, upon the whiche the sayde Mayer and Citeseyns made sute to the sayde Byshoppis counseill and most specially to the sayd Maister Harry yn the moste gode and yesly wyse that they cowde, praying hym of his gode frendship^a

^a and maystership] *erased*.

to helpe to refourme this wronge abovesayde. The sayde Mayster Harry right shortly weywardly and angerly answered seying that the sayde Mayer and Citeseyns shold right noght have a do w^t the sayde Bysshoppis tenantis w^t yn the cite and suburb of the same, ne the sayde tenantis w^t the sayde Mayer and Citeseyns, but only be ceparat and distyncte away fro the sayde cite, seying furthermore that we sholde have nywe tidynges yn shorte tyme, menyng as we conceyved sithen a nywe^a charter that the sayde Bysshop hath purchased sithenys. Nertheles by speciall prayer of the saide Mayer and Citeseyns menyng for the beste hit was prayed and graunte for a trayne that these maters sholde be put upon the sayde Bysshoppys counseyll and the counseyll of the saide cite, and so hit honged yn treti by longe tyme; under which entrety the nywe forsayde charter was purchased to grete hurte and hyndryng to the sayde Mayer and Citeseyns; we praying^b you oure lorde Chaunceller most specially and you oure^c lordis to considere alle the wronges comprehended yn thys article, consyderyng that the seide wronge of nonpayement of the seide dymes ys alle the grounde cause and begynnyng of all the grete debate that hongeth now by twene the seide Bysshop Dean and Chapyter and the seide Mayer and Citeseyns;^d for by fore the tyme of begynnyng sturyng and movyng of the said Bysshoppes officers and specially of the seide Meystre Harry of thees forseide maters, he was the most goode and blessyd Lorde and Bysshopp best wyllled and set and most good doo and lyke to have done that ever we had there, and so we trust to Godde with youre goode lordshippes woll^e be yet.

^a unlawfull—*erased*.

^b From here the text comes from No. IX. which commences abruptly. It is a fair copy of VIII. but has also many additions and erasures.

^c two other—*erased*.

^d of whiche debate the seide Mayer and Citeseyns yn the most sory wyse theym repentyth—*erased*.

^e woll—first written "shall."

ARTICLE III.

Item the seyde Meyer Baillifs and Comminalte compleyne ham and seyn that where they and theyer [predecessoures] be seasyd of tyme that no mynde ys of a leete as hyt ys above seide, one John Barton felon that feloniously hadde robbyd the church of Morchard^a of a chalys and other goodes to the valew of xx li. and a hors at Evyll yn S atte pris of v. marke, the whiche goodes and catell the seide John brought yn to a tenement of the seide Bysshop yn Exceter where the seide Meyer by hys offycers wolde have arestyd the seyde John and seised the said godes but they were let by one John Toylerd and other of the seide Bysshoppys offycers and by hys commaundement as hit is supposed; wher upon the seide John Berton by the said John Tylard and officers was conveyed away and toke the Cathedrall Church of Seynt Peter of Excetre, whiche church ys and ever hath be with ynne the lybertees ffranchees jurisdictiones and power of the seide cyte; whither the coroners of the seide cyte come to take ^d the knowleche of the said John Berton ys felonyes abovesaid^d as ever hath be usyd to done there as well as of abjuracions and to corowne prisoners ded yn the Bysshop ys prisonn. And when the seide coroners cam to take the confessyon above seide they were let by strenthe of one S^r John John and Pyers Carter and many other mynesters and clerkes of the seide church by commaundement of the seide Bysshop Dean and Chapter so that they myght nought doo theyre offyce there atte that tyme. And so the seide John Berton by them was brought yn to a hous y callyd the Bakehous and so conveyhid and brought hym oute of towne. Also wher the saide coroners diverse tymes cam to the Bysshop ys palyce to have coroned diverse prisoners beyng ther yn the seide Bishop ys prison ded and yn especiall one William Wey; atte whiche tymes by one

^a Morchard—first written "Stoklegh Pomeray." In VIII. it was first written "Churton Fitz Payn," and altered to "Stoklegh Pomeray."

^b the *to* abovesaid—originally "the seide John Berton ys confession."

Wauter Herte and other as servauntez of the seyde Byshopp and by hys commaundement they were let to do theyre offyce there, and the seide prisoners so ded buryed uncoroned. And as touchyng the seide goodes and cattall wayff y-left yn the seid Bysshopp ys tenement, ther was kept with stronge hande by the seide John Toylerd and other of the seide Bysshopp ys offycers and so wrongfully to the use of the saide Bysshop as hit is supposed^a kepyth hyt to grete hurte and hynderyng of oure soveraigne lorde the Kyng and the seide Meyer and Comminalte.

ARTICLE IV.

Item the seide Meyer Baillifs and Comminalte compleyne ham that wher by the graunte of Kyng Edward the ferst one of the progenitours of oure soveraigne lorde the Kyng that now ys and by graunte of the seide Meyer and cytiseyns of the seide cyte of Exceter the seide Bysshop Dean and Chapiter that tyme beyng hadde lycence to enclose the cimitary ther as hit more pleynty apperyth yn a composition ther of made. Afore whiche grauntez the Meyer and Cyteseyns hadde and yet ought to have a strete y-called Fyssh strete whiche lyyth with ynne that they calle the prosyncte of the cloos of Seynt Peter of Exceter and with oute the seide cimitery; yn whiche strete of tyme that no mynde ys the ffysh market of the seide Meyer and Comminalte was woned to be holde^b; the whiche strete streccheth fro a yeate callyd Seynt Martyn ys yeate dyrectly un to the towne walles to a grete defensable towre ther; yn the whiche strete the said Maire and cyteseyns by the seide Dean and Chapiter buth let to holde theire marketes now as we have be woned to doo; yn whiche way, as well as yn other places with ynne the seide cloos and cimitery, they have made diverse purprestours as steyrez and gardyns and yncroched londe contrary to the composycyon above seide; and yn especiall the ende of the seide Fyssh strete encroched all the hole wey thurt over for a court place to the mancion of the Archideacon

^a originally "to theyre own use."

^b ynne—*erased*.

of Cornewail as hyt apperyth openly ; so that the seide Meyer and cyteseyns may nought have theyre way as theym ought to have to the towne wallys and y^e Towre forseide. And also yn the cyte they have made a purpresture yn the Hye strete of the seide Cyte v. stalys of lx. fote long and more and iij. feete yn brede^a yn the for part of a new tenement^b above Seynt Stephyn ys church of Exceter wher was never no stale but a stony walle of the leynthe above seide. And another purpresture made by the commaundement of the seide Bysshop as hit is supposed yn Bolehil strete yn a place y-called the Bysshop ys rent yn the fore part of whiche rent ys a long stony wall of cc. fote of lenketh and moche more, yn the whiche walle both diverse shoppez wyndowes of olde tyme hadde, the leves ther of goyng ynward, and none other ne never were, yn to now late the seide Bysshop hath set oute of purpos a grete bulk stale, a purpresture. The whiche purpresture with all purprestures above seide^c standen and been set upon the grounde of the seide Meyer and citezeins without lycence of theym asked or^d hadde to the hurte and disheritson of the seide Meyer and Cyteseyns abovesaid.^a

ARTICLE V.

Item the seyde Meyer and Comminalte compleynyth that wher the Dean and Chapter of the Cathedrall Church of Seynt Peter

^a "and a pentyse of the same leynthe"] *erased*.

^b The "New Inn," now occupied by Messrs. Green and Co. drapers, &c.

^c and a tree callyd an elme by one Andrew Chalvedon by commaundement of the seide Bysshopp late ys pollyd pared and kut alle stondyng.

^d hadde to abovesaid] this was originally: "And also the seyde Bysshop hath encroached yn dyverse places of soche fee as he claymeth when hyt never so was as one place sum tyme called Somer ys place now Wynard ys place longgyng to hys almeshous whiche place parcell ther of ys tenement of the seide Bysshop and parcell nought. Thys and alle wrongez above seide ys yn disherytyng and grevous damage of the seide Mayer and cyteseyns and comminalte."

^e Text from VIII. and IX. Another version of this article occurs on Roll II. It is as follows :—

And also there the Mayer and the Comminalte of the saide Cite and alle other comyng to the sayd church have had and been seised of a wey yn to the sayd Cathedrall by and

of Exceter have a cloyster joynaunt to the seide Cathedrall Church with ynne the square of whiche cloister ys a voide place y-called "the Praiell," yn the whiche ys comyn sepulture whenne the cymytere standith pollute; through whiche cloyster was a comyn waye for the sayd Maier and Comminalte yn to the said Cathedrall Chirche and the said cloyster a place of praier and devocyon to praie for alle the sawlys was bonys lieth yn the said cloister and prayell atte tyme of dyvyne servyce doying in the saide cathedrall church; but now right late the saide Deane and Chapitere the dorys of the saide cloister have stoppid and closid contrarie to the gode usagis of all holy church, the kynges lawe and the use afore tyme hadde and ayenst al good pollece.

ARTICLE VI.^a

Also the said Maier and Comminalte compleyneth where late was sette yn the cymytere of the Cathedrall Church of Seynt Peter of Excetre a grete drie fryth almoste evyn junant to the bak side of the costlewe billyng^b and yn the cheiff place of the citee of Excetre therto enclose and enclosed a gret parcell of tymber, the whiche fright^c atte the stroke of ix. atte clocke yn the shortestez^d tyme of eere yn the nyght, alle the close yeatis beyng faste y shet, as hit aught to be by a composicion ij. owris before, by on of the mynysteris of the said Cathedrall Church was sette afire, and began to brenne, and yf hit hadde had his course lyke to have sette a fyre

at a dore of the south party of the cloyster of the saide Cathedrall for goyng walkyng honest communicacion and prayers by all the cloyster for said yn to the saide Cathedrall by ij. dorys, that is to seye, that oon yn the West and South party of the saide Cathedrall, that other sette next yn the South ayenst a tumber y-called the Erlis tumber of Devonshire, at alle tymes when the dorys of the saide Cathedrall bene open; there the saide Deane and Chapitre the dorys of the saide cloyster have stopped and closed contrary to the Kynges lawe and the use afore tyme had and ayenst all gode poliey.

^a Text from VIII. and IX.

^b In VIII. "of the most costlew and stately billyng of the Cite."

^c fright] vrith. VIII.

^d shortestez] shortist. VIII.

and brende the cheif and grete parte of the citee. And yet hit was said by the said mynyster and other minystres of the said Cathedrall Church to noyse and disslaundre the said citee that hit was sette afire by men of the same citee to brenne the said Cathedrall Church. And hit provith noght so by shutyng of the sayd cloyes yeatis. And by that that the said Cathedrall Church stant a buc shote fro and more.

ARTICLE VII.^a

Also the said Maier and Comminalte compleyneth that where the said Bysshop ys seysed of a gardyn lyyng to his paleys and the said Dean and Chapitere of iij. other gardynes, of the whiche said iij. gardynes of the said Dean and Chapitere on'lyeth to the mancyon of the Archdekne of Cornewayle and a nother lyeth to the mancyon of the Chaunceler of Excetre and the thirdd lyeth to [the] mansion of the Archdeacon of Excetre; the whiche iiij gardynes lyeth fro a lane y-called the Freren lane junant a long by the Towne Wallys almoste to the Sowthe gate of the same citee. Atte two endys of whiche gardynes and by twyne every gardyn so ayunant apon the Towne Wallys ys a walle thurte and buttyng a yenst the Towne Walle and a posterne yeate therynne, the [whiche] wallys and posternys by the Maier and Comminalte by force of a composicion and as the composicion woll, have be made and ofte tymes repaired and amended, and ij lokkys and keies yn and to every yeate, one^b kaye of every yeate remaynyng to the said Maier and Comminalte and a nother to the Bysshop and so to every of the personys ecclesiasticeris forsaid to this entent that the said yeate sholde noght be sette opyn but atte the Maier ys will ouns yn a eere a yenste the comyng of the Maier to over se yf eny nede be to repaire the towne wallys. And yf eny nede be to repaire, to stande opyn duryng the tyme of repeyryng as yn the said composicion more openly and pleylny aperith. With owte the procyncte of the said Bisshop ys garden and yn the said wall

^a Text from VIII. and IX.^b one] oo. VIII.

there ys the moste costelew defence and moste stately^a towre of alle the City, of the saide Maier and Comminalte well heled with led and housed for a right gode mansion to be ther yn. The whiche towre late was repayred to the coste of the saide Mayer and Comminalte of xx li. and more and right a stronge dore w^t lokke and keye made therto and fast y shutte to this entent ther to bryng yn stuf for the werre and defence of the cite and other thyng more of the saide cite ther to be kept stronge saf and sure. The which dore of the towre w^t the other v. postern doris, the whiche v. dorys buth comprehended yn the saide composicion, ofte tymes have be repayred and amended to the grete coste of the seyde Mayer and Comminalte, and as ofte as ever they have be repaired ever anon they have be right spytefully broke up by the Bisshop and Dean and Chapitre aforesaid, and the dore of the said towre at all tyme and yet is so stondynge open and fakettes hors and dong and myche other ungodely thyng by commaundement of the said Bisshop broghte theryn; bycause of þe whiche þe said towre is likely to be destroyed and fall a down to grete hyndryng of the said cite yn repaire yf hit falle of m^t ii. and the said v. postern doris so broke up, oo suche lok and keye as they woll is sette yn every dore to their pleisaunce disporte and yese to go yn and oute when ever they will contrary to the saide composicion. By the whiche yeatis full ungodely cariage as suspecious men and wymmen have be ladde yn and oute,^b and divers men that sholde have be arest conveyed away by that wey^c to right grete hurte hyndryng harmys and damage to the saide Cite.

ARTICLE VIII.^d

Item the Mayer and Comminalte compleyneth as tochyng the Freren lane abovesaide, the whiche is a longe lane lyyng a longe

^a IX. breaks off here. The rest of the text of this article is taken from VIII.

^b atte Freren lane and so yn to the Cite] *erased*.

^c Sr John of Dynham specially and meny others] *erased*.

^d The text is from VIII.

by and yn the bakside joynant to divers mansions of divers chanons of the clos longyng to the said Dean and Chapitre ; the whiche lane is ceverall grounde of the saide Mayer and Comminalte and parcell of theire fe ferme and wey to the towne wallis for the repair of tham ; yn to whiche lane oghte no dore ne yeate open be w^t oute licence of the Maier and Comminalte ; the said Dean and Chapitre in the wallis of the saide mansions yn to the saide lane have made divers doris w^t owte licence of the said Maier and Comminalte, by the whiche doris by the said Chanons dwellyng yn the said mansions by commaundement of þ^e said Dean and Chapitre is caryed oute so moche erthe robill and donge and other fylthis of theire places that the sayde wey ys dytte, that no man ther yn may well ride ne go ne lede cariage to the wallis, to grete hurte and hyndryng to the saide Mayer and Comminalte: and also yn the saide lane was a grete comyn gutto^r lyng deepe underneth a long thurgh the lane almost to the lane ende and then turned thurte westward thurgh the mansion of the Archidiacon of Cornewail to theire grete comyn gutto^r liyng yn þ^e saide Fissh strete havyng issu thurgh the towne wallis ; the whiche gutto^r lyng thurgh the saide lane ordeyned for to defende^a reyne water and other of Strike stret and of many other divers placis and mansions grete part of the saide cite ; the whiche gutto^r goyng thurgh the Archidiacon of Cornewayll is mansion as hit is abovesaide first by one Maister John Gorewyll Maister John Waryn M^r William Filham S^r Richard Kelyer and other som tyme chanons of þ^e said church there dwellyng by commaundement of the Dean and Chapitre the saide gutto^r hath be broke and for ditte and the stonys therof by tham take and bore away so that the reyne water and other of Strike strete and other places abovesaid may noo have his course as hit hath be wont to have to grete hurte and noy-saunce etc.

ARTICLE IX.

Also atte fore ende of the said Freron lane open yn to Strike strete ys a brode yeate for all maner cariage yn to the

^a of] *erased.*

towne wallis, the whiche yeate is the yeate of the Maier and Comminalte and by tham at theire grete coste y-made ; of whiche yeate sholde no man have no keye ne interesse but the saide Mayer and Comminalte and suche as they wolde yeve licence therto. The which yeate by the saide chanons havynge doris^a yn to that lane as hit is above sayde and their servantes that beth nyghte walkers riato's and brekers of the pes, by commaundement of þ^e Dean and Chapitre hath be brok up and suche lok and keye as tham luste to have made therto atte theire pleiser. Atte whiche yeate bothe be nyghte and by daye, and by nyghte most specially, full ungodely cariage is caried yn and oute as suspecious men and wymmen mennys wyvis and servantes specially; who to whom and where hit sholde be write yf honeste were. Atte whiche yeate also ofte tyme hath be grete affrayes and debate and like to have be manslaghter, and divers nyghte walkers and riato's comyng out at that yeate yn to the cite and ther have made meny affrayes assautes and other riatous mysgovernance ayenst the pees and y broke oute over the towne wallis, and myche more myschif like to falle by that yeate w^t oute better remedy had as well as at the brode yeate of the clos of Seynt Peter of Excester whiche oghte to be shytte^b and alle þ^e yeates alle þ^e nyght as hit appereth by composicion therof made; wher now ys by þ^e said clos myche nyght wacchyng and other riatous mysgovernance, the wicket of the same yeate stondyng open almost alle the nyght and a taverne that is called Bevys^c is taverne evyn joynyng to w^t ynne the hous of the yeate; out, of whiche wyket yn to whiche taverne comyth the grete part of alle the riato's of the clos priestes and other as S^r Robert Bokynham S^r Richard Martyn S^r Lewys Walssheman John Panton and other, and suche noyse affrayes and debates by tham there made that one William Upton late Maier of the saide Cite and other neghebo's dwellyng aboute beth foule accombred therof and y-lette of theire nyghte reste, compleynyng

^a Mr. William Bronnyng, Mr. John Rowe, and other Chanons havynge yeates] *erased*.

^b " wicket and alle atte cessyng of curfu," *erased MS.*

^c Bevys] also " Bearefitz "

to the Mayer therof seying that ther is like to falle myche more myschif there and that they wolle avoyde theire dwellyng placis there w^t oute better remedy had : and all this riottes governance and moche of the other mysgovernance abovesaid is upon boldenyssse off the said nywe charter purchased and abstynance of arestes abovesaid.

ARTICLE X.

Also the saide Maier and Comminalte compleyneth that the saide Bisshop by his officers drawyth yn to his courtys as well his Court Cristian as Court Baron yn Exceter divers accions and maters that longeth not to be determined there but before þ^e said Maier and Bailliffs, and yn especiall yn his Court Baron plees of the Crowne and other plees and maters that longeth to a lete ^a where he hath no suche power ne jurisdiction and the amercia-mentes issuys and proffits therof comyng taketh to his awne use yn disherityng etc.^a

ARTICLE XI.

Also the saide Mayer Baillifs and Comminalte compleyneth where that they and theire predecessours have had assize of bred and of ale and coreccion therof and of all other maner vitail as parcell of theire view yn þ^e saide cite and suburb to sette pris, forfete, dampne and excute as the lawe will, the saide Maier and Bailliffs have used at alle tymes when they wolde to go aboute the cite to make serche of mysgovernance of vitail and specially of bred and of ale and of wyne, yn the whiche they have founde ofte tymes grete defautes, and specially yn wyn, as well yn the Bisshoppis paleys, wyn by his

^a Where to etc.—*originally* “of the whiche he hath no power to determine suche plees there for he hath no late ne never hadde þer but only longyth to the Cyte that have a late and ever have hadde as hit is abovesaide,” *afterwards altered to* “whereof he hath no power for he hath no lete ne never had ne no thyng that longeth therto but the saide Maier and Bailliffs only” *and then stated as in the text.*

officers ofte tymes being ther y put to sale yn retail y-solde durer than hit aughte to be solde and ayenst the ordinance of the saide Cite and the Kynges cry by the Maier therof made, and so yn Sr John Morton is hous, chanon of the saide churche, and other divers chanons there and tenantes of the saide Bisshop yn the saide Cite,^a the whiche wyne so solde ayenst the ordinance and cry abovesaid have be forfetable to the saide Maier and Comminalte.^b By the whiche wyne so solde the saide Maier and Comminalte loste their custumes one at their port of Exemouth iiij d. of every pipe parcell of their fe ferme that is there y-boghte to be solde ayen yn grete or retail, another is custum of the saide Cite called wyne gavell of every pipe solde yn retail xij. d. And also ofte tymes hath be founde corrupte wyn not hole for mannys body dampnabill and sholde have be dampned and by way of execucion caste yn the canell; the whiche execucion the tenantis of the saide Bisshop dwellyng with yn the saide cite and suburb of the same by commandement of the saide Bisshop have lette and disturbed the saide Maier and Baillifs so that they myght do none execucion. The whiche corrupte wyn hath be carried to Topsham and there y-shipped and so lad to Burdeaux ther to be put and melled among nywe wyn as hit shall be well proved yf nede be. And also they have lette to prove to trie and weye sale bred made by the said tenantis of þe said Bisshop accordant to the statute therof made, by force of whiche the saide corrupte wyn hath not be put yn execucion as hit aughte to be and the sillers of the saide wyn bakers bruers and other mys-governers abovesaid beth unpunished yn disherityng etc.

^a *originally* "as Sr John Morton and other and among the Bysshoppis tenantes yn the saide Cite at hygher pris than hit oughte to be solde and contrary to the ordinance and cry."

^b *originally* "to the Cite as parcell of their fee ferme."

XXXII.

DRAFT OF ARTICLE IX. OF THE MAYOR'S ARTICLES OF COMPLAINT.^a

Item the seide Meyer and Comminalte compleyne hem and seyn that wher they and theyre predecessours cyteseyns of the same cyte of tyme that no mynde renneth have hadde and by lawe ought to have as parcell of theyre ffee ferme all maner tolne of all maner marchaundyse opentyd and layed to sylle yn every place of the Cyte and suburbez ther of as well with ynne the saide Cathedrall Church and Cimitery as yn any other place of the seide Cyte, yn the whiche church and cimitery diverse marchauntez that bryngeth theyre marchaundyses to towne to sylle yn tymes of feyrez have be ever woned and usyd specially when that grete multitude of peple and multe marchaundyse comyth to the Cyte, to ley opene bye and sylle diverse marchaundisez yn the seide church and cimitery and speciall yn the kyngges hye way ther as atte Welles Salysbury and other places moo, as disshes bollys and other thyngges lyke and yn the seyde church ornamentes for the same and other juellys convenyant therto; of the whiche marchaundysez the Dean and Chapter forseide began to take and toke diverse tolne of diverse men, one Richard Setter juler, and John Torner of Tyverton and other. Wher apon the seide Meyer and Comminalte grevously compleyned them atte that tyme and so hyt was put yn dayyng and apon arbitro's amonge other alle and grete debatez be fore that tyme hongyng; the whiche arbitro's atte that tyme ordeyned that ther sholde be no soche tolne custume ne other dute ther to be take by the seide Dean and Chapter with ynne the seide church and cimitery. For anger and evyll wille wher of the seide Dean and Chapter by theyre mynesters and servauntes ever sythen have put

^a The text of this article is from Roll No. IX. It is struck through with the pen, and was not inserted in the articles delivered to the Chancellor, as no notice of it or the subject of it is to be found in the Bishop's answers.

oute all soche marchauntez and marchaundisez contrary and ayenst the olde ruell and use to grete hurte hynderyng and damagez to the seide Meyer and Comminalte and distruccion of theyre seide feyrez and markettez. Atte whiche tyme of entrety the seide Dean and Chapiter cowde nought saye ne ley for theym that the seide churche and cimitery was no parcell of the seide cyte so that the seide Meyer and Comminalte myght take ne make levy of no soche custume ne tolne ther. But atte the ende and conclusion of the seide grete entrety and goode accorde and love y-hadde, the seide Dean and much part of the Chapiter with theyre counsell of the one part and the Meyer and Styward with the more part of the xij. men governors of the seide cyte with theyre counseill of the other party, thus bothe parties beyng present yn the Cathedrall Churche of Seynt Peter of Exceter, the seide Dean and Chapiter most specially prayed yn tokyng that ther sholde never no more debate be by twene the seide parties that the seide Meyer and Baylyffez yn all that they myght goodly shulde absteine and forbere with ynne the seide churche and cimitery of all maner arestys as touchyng the chanons and all thoo that both of abyte and theyre mynysters and servauntez familiars fro tyme of sessyng of owre lady belle yn to tyme that cuple wher done. And so of ryght good wille to that entent as hyt was desyred was graunted and sythen observed and kept and yet ys duryng the tyme of thys entrety, the whiche now ys layde ayenst us yn evydence, seying that we never made ne oughte to make arest ther, the whiche ys to the seide Meyer and Comminalte grete vexacion hurte and hynderyng and to mysgoverned men ryatours and brekers of the pees grete bolde-nesse and hath be cause of diverse affrayes that have be made bothe yn the churche and cimitery and yn especiall by one Richard Whiterow affraye made by hym apon John Howdon servaunt of Harry Helyer smytyng hym with a dagger with ynne the cloos yeate yn the eygge by twene the cimitery and the cyte alle most anon to the dethe, wherof we most grevously compleyne us besekyng you oure gode Lorde Chaunceler and you oure lordes

^a this to refourme and redresse yn eschewyng of ynconvenyence that myght folwe therof.^a

XXXIII.

THE ANSWERS OF THE BISHOP, DEAN AND CHAPTER, TO THE
MAYOR'S ARTICLES.

Thes ben the Answeres of the Bisshop of the Cathedrall Chirch of Saint Petre in Excestre Dean and Chapitre of the same to the Articles of compleynte ayens hem purposed by the Maier Baillyfs and Comminalte of the Citee of Excestre.

ARTICLE I.

As to the first Article of the saide Maier Baillifs and Comynalte the saide Bisshop Dean and Chapter seyen that thei doute of Vaspasions being atte Excestre and so atte Burdeaux and Jerusalem to sille xxx Jewes hedes for a peny; and thei sey that trewe it is that the saide nowe Citee of Excestre was of old tyme a Burgh and atte all tymes hath be, and is aunceon demene, but never under the name of a citee byfore the stallacion of Leofrik in the said Cathedrall Chirch, first Bisshop ther stalled by the hondes of Saint Edward and Edithe his Quene, which Saint Edward cursed all such that in any wyse fro the saide Chirch withdrawett eny right or ayens the saide Chirch maligne; atte which tyme the saide Chirch Cimitery paleys and other londes and tenements longing therto were separate and distincte fro the saide Citee and no parcell therof as it appereth in the Boke of Domus Day; afore which tyme ne seth was no mayer ne fee ferme bore for the saide nowe Citee to the progenitours of our Soverayne Lord the King unto the regne

^a this to thereof—*originally* “to be mene un to owre soveraigne the kyng so that he ne ye be nought displeasyd thow the seide Meyer and Comminalte leve soche abstynence but eslyly to execute all lawfull execucions ther as theym ought to execute and to doo ryght to the partyes as the Meyer ys sworn ther to, or ellys to have the Meyer excusyd yf that any unconvenyence mysghovernance or mischeve fall, as hyt ys lyke to do, and that for the love of God and the way of charyte.”

of King Henry the Thirde, butte the rentz and revenues comyng of the saide towne nowe Citee were answered to the noble progenitours of our saide Soverayn Lord in their Eschequer atte Westminster as of partie of the shire of Devenshire by the honds of the Shereve of the same shere for the tyme being and by none other as it appereth by matier of recorde in the saide Eschequer ; atte which tyme the Bisshop of Excestre that tyme being was seised of the saide Chirch Cimitery palies lands and tenements aforsaide and all his predecessours afore him were seised of the same contynuelly fro the tyme of the saide Saint Edward ; which Chirch Cimitery palies lands and tenements ben named and knowen by the name called the Bisshopes Fee, otherwyse called Saint Stephen's Fee, distincte and separate fro the saide Citee and oute of the jurisdiccion of the same, withoute that that at the dayes or many dayes setthen tyme of mynde any such Mayer Baillifs and Comminalte as thei surmytten where yn the saide Citee knowen by the name of Maier and Comminalte. And there as the saide Mayer and Comminalte seyen that they and their predecessours citezeins of the same Citee have had and hold the saide Citee in fee ferme of Oure Soverayne Lord the King that nowe is and his noble progenitours oute of tyme that no mynde is ; the saide Bisshop Dean and Chapitre seyen that byfore the tyme of Richard King of Almayn which had xiii^{li} ix^s to his sustentacion atte will of his brother King Henry the Thirde and no thing ells in the saide Citee over xxv^{li} xii^s vi^d comyng of the rent of the saide nowe Citee yeven to the hous of Crichirch in London by the graunt of King Henry the First and Malde his wif paied to them by the hendes of the saide Shereve, ther was in Excestre nether Mayer ne Baillifs ne under that name Mayer and Comminalte but an auncean demene as the saide Mayer and Comminalte have articed and the saide Bisshop Deane and Chapitre confessed ; which Richard King of Almayne graunted first by the name of Baillifs and citezeinis the saide Citee to fee ferme, havyng none oper estate than is above rehersed ; wherfore the saide Citee with all the appurtenaunces in King Edwardes dayes the thirde was

seised in to the saide King Edward's hondes as more plainly appereth in the replicacion late made by the saide Bisshop Dean and Chapitre; in the which replicacion all other matiers of the saide Article be sufficeantly replied to as troueth asketh and requireth, as well to the jurisdiccions libertees fraunchises and power to hold plees &c., as in their compleyntes been comprehended, as to all other. And as to the disclaunder which the saide Mayer and Comminalte have putte upon the saide Hue Lucas, the saide Bisshop Dean and Chapitre seyen that thei know him for no such misgoverned man, neither thei knowe in no wyse of affray that he shuld make upon Richard Attewode atte the Gilde Hall dore ner of eny arrest ther upon him had after the manner and fourme that the saide Mayer and Comminalte have articleed. But thei seyen that thei knowe well that the saide Hue was furiously dreven into the saide Cathedrall Chirch by officers and other of the saide Citee with swerdes daggers and other invasif wepen ayens the pees drawn, the mynysters of the saide Chirch the same tyme being in their habits atte divine service, which mynysters as prestees ought to do in all that thei godely myght laboured to save the saide Hues lyf, being in right grete perell therof, withoute comaundement or knouleche of the saide Dean and Chapitre or eny harme doing or menyng to ony maner officer of the saide Citee or in enywise smyting eny man or mace; but one of the saide officers violently with a custrell smote one John Pawton a mynyster of the saide Chirch upon the hede, he being in his habite; by the which and other abhomynable mysgovernance ther made by the saide officers the saide Chirch was peluted in maner and fourme as it more plainly appereth by the examynacion therupon had and by the Article of replicacion of the saide Bisshop Dean and Chapitre late made &c.

ARTICLE II.

Item as to the seconde Article of their compleints the saide Bisshop saieth as he seide in his thirde replicacion &c. withoute

that that the saide Bisshop atte eny tymes hath had or kept eny part of such money so sette to his owne use. And there as it is supposed by the saide Maier Baillifs and Comminalte that eny such dyme which shuld be due in William Upton's tyme was withdrawn, hit was paied and delyvered to the saide William Upton and by him receyved as depute of the Kings collectours in the shire of Devenshire by the honds of Water Hert Baillif of the saide Bisshop. And as to the paiement of eny dyme in the tyme of the saide John Cotiller, the saide Bisshop saieth that the tenants of his saide fee were not warned to come to the saide Gild Halle to the assession therof, and that the saide Maier and Comminalte assessed and sette the saide tenants, in whom thei had no such power, of malice to a importable sune otherwise then ever thei were wont to paie, so that ther would have remayned in the saide Maiers honds a grete sune therof above the saide dyme, like as there hath remayned in other Maiers honds somtyme vii^{li} sumtyme c^s and sumtyme more sumtyme lesse. But the saide tenants offered to the saide John Cotiller as depute aforesaide by the honds of the forsaide Walter Hert Baillyf to paie and yet be redy to paie as mich as thei were wont to paie to fore and he refused to receyve it. And as to all other conturbucions and charges comprehended in the saide Article, the saide Bisshop saieth that his saide tenants were never contributaries therto, ne ought to be in forme as the saide Maier and Comminalte have declared ; for as moche as the saide fee is separate and distincte fro the saide Citee and no parcell therof, as it is above rehersed. And he seieth that the sute made by the saide Mayer and Comminalte for to have oppressed and enthralled the saide Bisshop Dean and Chapitre and their mynysters and servants by the sute of a bill which is to shewe was and yit is cause of the saide stryves and debates and no feyned tretice ne other matier sued or done by their partie, but principally by the wilfull laboure of John Shillyngford, nowe being Maier, in whoos tyme ever hath be grete troubill to the grete hurt and losse of the saide Chirch and Citee.

ARTICLE III.

Item as to the thirde Article of their compleyns the saide Bisshop saieth that he and his predecessours have be seised of tyme that no mynde is of a Chirch called Saint Petre in Excestre a Cimiterie annexed þer to w^t a paleis and oþer divers londs and tenements called Saint Stephyns fe, oþerwise called the Bisshop's fe, yn and nought of Excestre but distincte and separate fro the same; within which he and his predecessours fro tyme that no mynde is hathe and have had view of Frank Plegge weif and straif and all other profits longing to a viewe, and one Water Hert Baillif of the saide Bisshop toke the saide hors and chaleis to the use of the saide Bisshop as goods weifed by the saide John Barton within the saide fee. And as to the comyng of eny coroner of the saide Citee within the saide fee Chirch Cimiterie and paleys or eny parcell therof for to take eny knouleche of eny felon or sight of dede man convycte within the saide paleis, the saide Bisshop saieth that the coroners of the saide Cite have no jurisdiction within the saide Chirch Cimiterie paleys and fee, but only the coroner of the shire of Devenshire, for as moche as the saide Chirch Cimiterie paleis and fee ben separate and distincte fro the saide Citee. And as to the remenaunt of the matier conteynyng in the saide Article, the saide Bisshop saieth that him ought not answere therto by the lawe.

ARTICLE IV.

Item as to the iiij. Article of their complaints, the saide Bisshop Dean and Chapitrè sayen that ther is no such strete called Fissh Strete within the Close of Saint Petre in Excestre. And also thei seyen that ther is not ne never was eny maner market hold within the saide Cloos ne within no partie therof. And thei seyen that thei never encroched in no wyse to their saintuary eny grounde of the saide Maire and Comminalte. And as to the encroching of the ende of a way which thei call Fissh Strete, the saide Dean and Chapitre sayn that there is no such strete called Fissh

Strete, but the strete that thei call Fissh Strete is called Saint Martyns Strète otherwyse called Chanons Strete; atte which ende ther hath ben a wall and a brode yate in the saide wall fro the tyme that no mynd is, by the which yate citezeins of the saide town atte all tymes as nede requyreth have had and may have by resonable warnyng free comyng and going to repaire the saide towne and walles withoute lettynge of the saide Dean and Chapitre. And as to eny purposture made by the saide Dean and Chapitre in manner and fourme as the saide Maier and Comminalte have declared, the saide Dean and Chapitre seyen that the punysshment of all purpostures within the saide Citee longeth to the King and not to the saide Maire and Comminalte. And over that the seyen that all freeholders within the saide Citee of tyme that no mynd is, which have eny houses or tenements in the saide Citee, have used to make stalles in all stretes joynyng to the saide houses and tenementes so it be no noysaunce to the Kinges liege people. And so thei being seised of the saide nywe tenements made oute the saide stalles in the Kinges Hie Strete joynant to the saide tenement nat noying the Kings peple, which be the same purpostures that thei compleyn hem of. And as to the purposture which is supposed to be made in the Bisshopes rent, the saide Bisshop rent is within the saide Saint Stephens fee distincte and separate fro the saide Citee. And as to eny steires or palais made within the saide Chirch Yerde or Close, yif eny such bee, the said Bisshop Dean and Chapitre understond that such staires paleis and gardeins within the said palises in no wyse shuld cause the saide Mayer and Commynalte therof to complain or to be greved for as moche as the saide staires paleys and gardynes be within the procincte of the Cimiterie which is no parcell of the saide Citee but distincte and separate fro the same. And the saide Bisshop Dean and Chapitre ne none of hem never made within eny place of the saide Citee eny purpostures stalles or wyndowes upon eny grounde of the saide Maire Baillifs and Comminalte.

ARTICLE V.

And as to the v. Article of their compleyntes, the saide Dean and Chapitre seyen that within the saide Cloister, which is well walled and glased, is a Chapitre House and a Library comprehending a quarter of the said Cloister which is within the procincte of the saide Chirch and Cimitery and no comon wey but oute of the jurisdiction of the saide Maier and Commynalte, which Cloister dores atte all tymes have be shette except tymes to goo in procession or to the Chapitre House or to the said Library or eny other such resonable tyme; atte which tymes and in especiall in tyme of dyvyne service, ungoodly ruled peple most custumably yong peple of the saide Comminalte within the saide cloistre have exercised unlawfull games as the toppe, queke, penny prykke and most atte tenys, by the which the walles of the saide Cloistre have be defowled and the glas wyndowes all to brost, as it openly sheweth, contrarie to all good and goostly godenesse and directly ayens all good policy and ayens all good rule within the sayde cloyster to suffre eny such mysruled people to have comune entre which spare not withyn a quarter of a yer to pollute the saide Cimitery and their saide moder Cathedrall Chirch, not eschewing to doo the same within the saide Cloyster w^toute that that the saide Maier and Comminalte or eny of their predecessours ever had thourgh the saide cloistre eny comune wey. ✓

ARTICLE VI.

Item to the vi. Article of the compleints of the saide Maire and Comminalte, the saide Bisshop Dean and Chapitre seyen that the saide Article is but a feyned matier to putte their offence fro hem self and to disclaundre the mynysters of the saide Chirch, which offence preveth to be done by the consent of some of the saide Comminalte for as moche as one of hem atte curfew tyme, all the yates of the saide Close standing open and the weket of the brode yate an oure after as it ought to be, atte the litell stile came yn to the saide Close and broght fire in a sho and sette the saide

egge a fire within which was xx^{li} worth tymber of the saide Dean and Chapitre is godes, and by the same wey ran oute ayene seying that he was aspied by a mynyster of the saide Chirch, which as God would in all hast quenched the saide fire and so excluded all mischefts therby like to have fall as wele to the saide tymber and tenements of the saide Chirch as bilding of the saide Citee; withoute that that eny man of the saide close hath noysed and disclaundred the saide Citee to brenne the saide Chirch but only have reproved such mysgovernance withoute any disclaunder as was done in this behalt; as trouth and godenesse requireth.

ARTICLE VII.

Item to the vii. Article of their compleynt, the saide Bisshop Dean and Chapitre seyen that well and trewe it is that thei and ther predecessours have be seised and so ought to be of such iiii. gardyns and postren dores specefied in the saide Article, the which postren dores joinantly oughte to stande and be maynteyned by the saide Mair and Commynalte in the saide buttyng wall and in none other place conteynyng the brede of a kernell of the saide towne wall, ones a yere by the warnyng of viij. dayes to have a way by the saide postrons to over se the towne walles and none other use except tyme of werre, which postrons and brede of the saide buttyng wall so of duete to have be repaired by the saide Maier and Commynalte by their frowardnesse to evell entent suffred the saide postrone and part of wall to fall down and to lie opyn for defaute of reparacion to thentent that thei myght have fre comyng in to the saide gardins atte their owne will and to feyne matiers of disclaundre upon mynysters of the saide Chirch contrarie to all godenesse and to the saide composicion; which Mayer and such dredefull people of his commynalte be the mysgoverned people and yncomers that thei spoke of and none other; withoute that that thei the said Maier and Commynalte in eny tyme this c. yere have doo or made eny reparacion in the saide postrons towre and dore of the

saide towre, and without that that the saide Bisshop Dean and Chapitre or eny of their servants in eny wise have broke eny lokks or dores or in eny manner have harmed or hurt the saide towre after the fourme by the saide Maire and Commynalte articledd ; but for their owne honeste and necessite for defaute of reparacion atte their propre costes and expenses have repaired the saide walle so fallen downe and made dores in their severall grounde by the which the saide Maier and Comminalte many yeres have had free yn comyng and such cherisshing with all gentillesse as Chanons of the said Chirch coude make hem in such wyse that as for that way thei ought feyne no matier ne cause to compleyn hem of.

ARTICLE VIII.

Item to the viii. Article of the saide Maire and Commynalte, the saide Deane and Chapitre seyen that sothe it is that such a lane lieth bytwene the mansions of the saide Chanons and Friers, which lane is no severall grounde to the saide Maier and Comminalte but comon to all such Chanons as have mansions adjoynyng to the saide lane, there thourgh for to make their cariages atte their ease and liberte withoute eny lycence of the saide Maier and Commynalte thereupon required to be asked ; withoute that that the saide Deane and Chapitre or eny other man by their comaundement have cast eny such rowble or unclenly things in to the saide lane or eny goter there have broke up or stones in eny wyse therof have caried away.

ARTICLE IX.

Item to the ix. Article of the saide Maier and Comminalte, the saide Deane and Chapitre seyen that the trewe it is that atte the saide lane ende is a yate which perteyneth to the saide Friers and not to the saide Maier and Commynalte ne to their charge of reparacion but therof to have a key to over see the towne walles, and the saide Friers to have another and the Chanons the thirde, by the which key so being in the saide Mayer's warde, yif eny nyght

walkers herkeners or any mysgoverned people or mysgoverned women have come yn or oute atte the saide yate, withoute that that thei have knowe eny other such people by the saide yate to come yn or oute which shulde noyse or disclaunder eny persone dwelling there withynne, or eny such mysrule used by eny persone of the saide Close atte the saide Beaufits Taverne, being a taverne in the saide towne and withoute the saide Close and fee. Wherfore it were þe part of the saide Maier, yif eny such mysrule and bawdery bee within the saide taverne, yif he be clere in his owne persone, to compleyne and to see that it were corrected and amended; within which taverne the saide Deane and Chapitre have no such correccion ne knowe eny such mysruled preistes using the saide taverne as be specefied in the saide Article ne none so mysruled persones within the saide Close as he that is cause and yever of ensample to all such mysgovernance.^a

ARTICLE X.

Item as to the x. Article of the saide Maier Baillifs and Comynalte touching holding of eny pl the saide Bisshop saieth that no lawe putte him therto to answer. Natwithstendi yn his saide Courte spiritual noon other plees but as hēm ought to doo. And where as seyen that the saide Bisshop hath no lete but a simple Court Baron in Excetre; therto the saide Bisshop saieth that he and his predecessours of tyme that no mynde is hath and have had in Excetre a viewe of Frank Plegge as it is more pleynty above rehersed.

ARTICLE XI.

Item as to the last and most disclaunderous Article, the saide Bisshop saieth that it is none other but mater of disclaundre if eny mysrule hath be within eny tenure of his in the saide Citee of eny mater vitaill yn especiall among other of brede

^a This appears to be the answer which Shillingford speaks of at p. 16.

ale and wyne or any such, the punysshment and correccion therof perteyneth to the said Bisshop and of tyme that no mynde is hath be corected in Courtes of the saide Bisshop and his predecessours and yn no wyse by the saide Mayer and Comminalte, within which tenements the saide Mayer and Comminalte have no jurisdiction correccion. And the saide Bisshop saieth that neither he ne none other by his comaundement never sende s t wyne ne none other to Topsam ne to Budeux as the saide Mayer most disclauderly hath surmytted.

XXXIV.

THE MAYOR'S REPLICATIONS TO THE BISHOP'S ANSWERS.

These both the repplicacons of the Maier Baillifs and Comminalte of the Citee of Excestre to the Answeris of the Bysshop Dean and Chapitre of the Cathedrall Church of Excestre.

ARTICLE I.

The seide Maier Baillifs and Comminalte seyn that alle the maters conteyned in their furste Article is gode and true as they ben and woll be at all tymes redy to prove as your full notable discrecions woll rule them to bothe by mater of recorde prescripcion and other wyse. Bot as to that they seyn that the seide Citee was never under the name of a Cite a fore the stallacion of Leofrike there furste Bysshop and that Seynt Edward accursed alle suche that yn enywyse fro the seide Church withdrawyn eny right or ayenst the seyde Church malygne, the seide Mayer Baillifs and Comminalte seyn that the seide Cite was knowyn by the name of a Cite as hit appereth by olde croniclis and as hit ys write yn an olde table the which hongeth yn quere of the seide Church writen thus Anno Domini XLIX^o Vaspasianus cum exercitu Romano Civitatem Exonie octo diebus obsedit sed minime prevaluit, Arvirago Rege civi- bus prestante auxilium. And they supposeth right well that Seynt

Edward accursed and knowyth right well yndede that they both accursed alle suche that yn enywyse fro the seyde Church wil-lyngly and wyttyngly withdrawith or both wylling to withdrawe eny right fro the seide Church or malyng; and the seide Maier and all the hole Comminalte and the Mayer most specially prayeth and ever shall praye God and Seynt Edward and all the Seynts in hevyn and yow to do the same aswell as all they that withdrawith or wold withdraw eny right fro the seide Cite; and they seyn that a fore Leofrike is tyme and yn the tyme of monkis of the order of Seynt Benet there dwellyng and possessed of the seide Church and all thyngs therto belongyng, was and at alle tymes afore that of whiche no tyme of mynde is nother at that tyme was, stode called named and reputed as a Cite and so conceyved and knowed; at whiche tyme the saide Church Cimiter Paleys londis and tenements belongyng therto were have be and yet of right ought to be yn and of the saide Cite and parcell of the same, not separate ne distynct therfro; withoute that hit is conteyned yn the boke of Domesday that they were separate and distyncte fro the seide Cite, and withoute that the Bysshop and his predecessours tyme of Seynt Edward were possessed of eny suche fe as they seyn; of the whiche sufficient provis at alle tymes of recorde shall be redy to be had. And as to the fe ferme answered to the progenytours of Oure Soverayn Lorde the Kyng, they seyn that they and their predecessours hilde the seide Cite at fe ferme yn the tyme of William Conquerroure as hit appereth of recorde; afore whiche tyme, thenne of tyme that no mynde was, they and their predecessours hadde holde the seide Cite to Fe Ferme yn like fourme. The whiche Fe Ferme by tyme abovesaide hath be made levy and payed by and to suche persons as to the seide Kyngs progenytours liked to assigne as of Fe Ferme of the said Cite. And as touchyng other articlis conteyned yn their seide compleynt, the whiche the Bisshop Dean and Chapitre have answered yn their replicacion as they seyn, the seide Maier Baillifs and Comminalte seyn that the mater yn the replicacion of the seide Bysshop Dean and Chapitre to their rejoinder made ys

not sufficiently answered ; the whiche they remytte to youre grete wisdomys and discrecions ; and as to the answere to the rescours made by Hugh Lucays, they seyn that all the mater conteyned yn theire compleynt is gode and true as they at alle tymes wolbe redy to prove after youre discrecions.

ARTICLE II.

Item as to the seconde answere of the seide Bysshop Deane and Chapitre to the Articlis of this seyde Maier Baillifs and Comminalte, they seyn that alle the maters yn that Article of compleyntis and every Article of Compleyntis wythynne the same as well as yn other answeris of the seyde Maier Baillifs and Comminalte to the Articlis of the sayde Bysshop Dean and Chapitre and yn the rejoinder to the same, som by matter of recorde some prescripcion and as hath be lawfully used, and som by other evident writyng and wnesse, shalbe proved gode and true after your wise discrecyons and as ye woll rule ham to. And as to that the Bysshop seyth that eny dyme or parcell therof sholde be payed to William Upton, som tyme beyng Maier, and by him receyved as depute to the Kyngis collectours yn the shire of Devonshire by the hondis of Walter Herte Baillifs of the seyde Bysshop, the seyde William Upton hath right faithfully seyde and we seye that he receyved never so ne yn none otherwyse no such money. And as to that the Bysshop seith as touchyng the payement of eny dyme yn the tyme of the seyde John Coteler that his tenantis of that he calleth his Fe were not y warned to come to the Gildehalle, to the assssyng therof, the seyde Mayer Baillifs and Comminalte seyn that they were warned as they were wont to be warned and as hit openly appereth yn the Articlis of the seyde Mayer Baillifs and Comminalte therof made. And as to that the Bysshop seith that his tenantis were assessed and sette of malys and yvell wyll to an ymportable some other wyse then ever they wer wont to paye so that ther wolde have remayned yn the seyde Mayer's hondys a grete some therof above the seide dyme like as ther hath remayned yn other Mayer is

hondys some tyme vii li. some tyme v li. som tyme more som tyme lasse, the seyde Mayer Baillifs and Comminalte seyn that the seide Bysshoppis tenantis wer never so sette bot favorably and withynne that ham oughte and myghte have be assessed and payed, ne never otherwyse at no tyme assessed ne payed then longeth to tham to be assessed and payed or wyth ynne, as hit shall be ryght well y proved by ryght gode and true wnesse and olde bokys therof y made, and that by assent of ham self and their awne assent and aggrement. How so be that the seyde Mayer Baillifs and Comminalte by other men myght have assessed ham, they not called therto, ne no suche mony remayned, ne bot right litell or none at eny tyme hath remayned, and that what^a hath remayned hath be departed ayen among suche of the porest puple that have bore charge and payed therto, and som tyme hath lakked; whiche hath be payed with the comyn gode, while ther was eny, as well as som tymes all yn dyscharge of the comyn puple of the seyde Cyte, as all shall be ryght well knowed and proved by right gode and true notable evydent writyng and wytnesse. And as to that the seyde Bysshop seyeth that his seyde tenantys offerred to the forseide John Cotyler as depute aforseyde to paye by the hondys of the forseide Walter Herte Bayllif and yet both redy so to paye as moche as they wer wont to paye to fore, and he refused and wolde not receyve hit, the seyde Mayer Bayllifs and Comminalte seyn that true hit ys that the seyde tenantys offerred to the forseide John Coteler as depute aforseyde to paye, and yet as they supposeth byth redy so to paye bot as moche as was wont to be payed before was never ne may be putte yn certyn as alle the hole Cyte ys, and that bot sithenys the tyme of Kyng Edward the Thirdd the vi. yere as hit appereth of recorde; the whiche they remytte to your wysedomys. And as they and John Coteler seyn that they ne wolde ne yet woll no suche mony so unlawfully assessed and made levy as hit ys surmytted yn the Article of the seyde Mayer Bayllifs and Comminalte

^a what] when, MS.

therof made, yn no wyse receyve, and that was the cause that the seyde John Coteler wolde none receyve but refused the seyde unlawful proffre. And as to all the remanent of the seyde Article, the seyde Mayer Bayllifs and Comminalte seyn that they woll prove hit gode and true as hit ys aboveseyde yn this same repplycacion.

ARTICLES III. IV.

Item as to the thirdd and fourthe Answeris of the seyde Bysshop Dean and Chapitre, the seyde Mayer Bayllifs and Comminalte seyn that the mater conteyned yn their seyde Articlis shall be sufficyantly proved gode and true som by mater of recorde and some by mater of recorder and som by prescripcyon and as hit hath be lawfully used and som by other evydent writyng and wytnesse; the whiche they answer not bot by mater of travers; bot wher they seyn that the punysshment of alle purpresturys longeth to the Kyng and not to the seyde Mayer Bayllifs and Comminalte, they seyn that of tyme that no mynde is the Mayer Baillifs and Comminalte and their predecessours have hadde and of right aughte to have alle maner punysshementys and advantagys of alle maner purpresturys withynne the seyde Cite and precyncte of the same, the whiche they both redy to averre and prove. And as touchyng to their surmys that every freholder yn the seyde Cyte have used to make stallis yoyant to theyr tenementis yn maner and fourme yn the seide answeris conteyned, the seyde Mayer Baillifs and Comminalte seyn that theyr seyde answer ys no sufficient prescripcyon ne answer suffycyant yn lawe; the whiche they putte yn your wysedomys. And as touchyng eny suche stallis to be made ayenst eny freholde, they seyn that no freholder aughte no sholde of ryght make no stallis ayenst theyr freholde withoute hit hadde be used and accustomed of tyme that no mynde is or by leve of the seyde Mayer and Comminalte. And they seyn that the housys and tenementis whiche the seyde purpresturis beth made and y hadde both bot of right late tyme and withynne tyme of mynde bulled

and never none before. The whiche tenements and purpresturis both alle yn and of and parcell of the seide Cite.

ARTICLE V.

Item as to v^e Answer to the Article of the seyde Mayer Bailiffs and Cominalte, they seyn that all the mater comprehended yn the seyde Article shall be effectually proved gode and true. And as to that they seyn that the seide Maier and Comminalte hadde never comyn wey thurgh the seyde cloyster, they seyn that withynne tyme of mynde ther was no suche Cloyster ther bot all opyn Churche hey and a comyn wey over yn to the seide Churche; and as to the remanent of the mater comprehended yn the seide answer, the seide Mayer Baillifs and Comminalte seyn that they by the lawe both not bounde therto to answeere.

ARTICLE VI.

Item as to the vi. Answer of the seyde Byssshop Deane and Chapitre, the seyde Mayer Baillifs and Comminalte seyn that all the mater conteyned yn their Article is gode and true and not feyned ne to disclaunder no mynester of the seyde Churche. And yn speciall that the Close yeates and the litell stile most specyally wer y-shitte as hit is comprehended yn the Article therof made; withoute that eny suche came yn atte lytell stile beryng fyre in a sho as they surmytteth or yn eny other wyse, and that shall be ryght well and truly proved.

ARTICLE VII.

Item as to the vii^e Answer of the seyde Byssshop Deane and Chapitre, they seyn that all the m[at]er in the] seyde Article conteyned is gode and true as hit shall be ryght well proved by ryght gode and writyng and wnesse. And as to that they seyn that the postern dorys specefied yn the seyde ar[ticle] sholde be of the brede of a kernell of the seyde towne wallis and that by the

frowardness to yvell [entent] suffred the seyde posternes and part of the wall to fall adown and to lye open for defaute of reparacion [to the] entente that they myght have fre comyng yn to the seide gardyns at their owne will to fa[ynne maters] of disclaunder apou the minesters of the seyde Church, and that the comyng yn of the Mayor [and] suche dredeful puple of his Commynalte sholde be the mysghoverned puple and yncomyers that the Mayer and Commynalte compleyn of yn their article, and that they for their owne necessity for defaute of reparacion atte their awne propre costys and expensis have repayred the seyde wall so fall adoun and y made dorys yn theyre severall grounde, the seide Maier Baylifs and Commynalte seyn furst that the seyde dorys sholde be of the brede of the thiknesse of the towne wall withynne the kernellis of the same, and that no suche wall fill adoun for defaute of reparacon; bot right late Mayster John Druell, Archidiakne of Excetre, tenant of oon of the seide iiij. gardyns ther hit is supposed oon sholde fall adoun, drewe adoun a sufficient wall and dore larger for his awne yese and disporte and all at his awne wyll, and oon Mayster Robert Boson, som tyme Chaunceller of the Cathedrall Church of Excetre, beyng tenaunt of oon of the said iiij. gardyns, stopped up oon of the dorys stondyng an high upon the wall of the towne and made another postern dore allowe yn his gardyn for his better yese and disporte going yn and oute at that dore; the whiche stoppyng of the dore the Maier and Commynalte ever sithen have suffred and go yn and oute when tyme hath be at that other side dore, excepte this yer that he wolde not, and thogh he wolde he was forbode and lette by the tenant of the seyde gardyn. And this both the posternys dorys and wallis fall adoun for defaute of reparacion and y-made upon their severall grounde at their propre costys and expensis repayred that they compleyn ham of, withoute that the Mayer and Commynalte of frowardnesse to yvell entent suffredde the seyde posternys and part of the wall fall adoun to fayne maters of disclaunder apou the minesters of the seide Church, and withoute that the Mayer or eny of his Commynalte

be eny suche dredefull and mysgoverned puple and yncomyers as they speke of; for the puple that the Mayer and Comminalte yn their divers Articlis meneth and compleyne ham of, their namys not specyfied for noyse and disclaunder that myght come therof, ys ne both their Holy Gostly Fader the Bysshop ne Deane ne Chapitre ne none of tham ne bot right fewe of their mynesters ne servantis famyliars that such noyse and disclaunder as hit is supposed sholde be to, bot right grete and worthy of the contrey and suche as have be wonte to be called worthy of the Cite of Excetre and other to grete harme hurte hyndryng noyse and disclaunder of M^{ti} and moche more; the which all shall be proved gode and true and parcell as the lawe wyll bytwene party and party, prayng yow my Lorde Chaunceller yf hit please your gode Lordesship by mouthe to knowe hit &c. and all yn default of kepyng of the seyde yeatis posternys dorys. Wherfor we the Mayer Baillifs and Comminalte of the Cite of Excestre praying yow oure Lorde Chaunceller most specially, and yow oure other Lordis Justises, to comaunde our Holy Fader the Bysshop Deane and Chapitre to suffre us yn pees and godely to amende and repayre alle such yeatys and dorys as we of right and of lawe aught to amende and repayre as hit shall be right well y proved and yn especiall alle the dorys and posternys apon the towne wallis y-specefyed yn their vii^e Article and two dyvers lokkis and keyes to be sette apon every dore to be opened bot onys yn a yer after the fourme effecte and entent of a composicon therof made and to avoyde alle yn and oute comyers bot as by the compesicon abovesaide. And that they may have make repayr maynner use and occupye to their awne use and do as they woll and aughte to do with and yn the same tour comprehended yn the seide vii. Article as well as the dorys and posternys after the fourme effecte and entent of the seyde composicon as lawe right and reson requyreth, the whiche tour and dorys yn their Article of compleyntis as hit is compleyned ys not withseyde.

ARTICLES VIII. IX. X.

Item as to the viii^e ix^e x^e and xi^e Answers of the seyde Bysshop Deane and Chapitre, they seyn that all the mater conteyned yn the seide Articlis, as well as yn the Articlis above-seyde, both god and tru as hit shall be well proved, as hit ys specefyed in the furst thridde and fourthe repplicacions: and as to that they seye that the yeate atte the Freren Lane ende perteyneth to the Freris and not to the seyde Mayer Baillifs and Comminalte ne to their charge of reparacion and by the keye yn the seyde Mayeris warde yf eny nyght walkers herkeners or eny other mys-governed puple or wymmen have come yn or owte atte seyde dore, that they have come by avys and ordynance of the seyde Mayer; and also as to that they seyn that it wer the part of the seyde Mayer, yf eny suche mysrule as ys comprehended yn the Article or bawdry, yf he be clere yn his awne person, to compleyn and to se that hit wer corrected and amended, and that they knowe none suche mysruled person as he that is cause and yever of ensampell of all suche mys-governance; the Mayor Baillifs and Comminalte seyn that the Freris have no yeate ther ne keye, ne none aughte to have, ne never they ne none other man hadde, ne aughte to have bot by the Mayer and Comminalte, and that the Mayer and Comminalte at alle tymes have made the seyde yeate and repayred hit as all shall be right well proved by right gode open and evydent wrytyngs and witnesse, and that the Mayer ne no man that they surmytteth apon hadde never keye therof wherby eny suche mys-governed puple sholde come yn or owte. And the Mayer seith that true hit is that hit is his part to correcte and amend suche mys-governance as ys surmytted yn Beaufitz is Taverne all that longeth to the Kyng and to his pees withoute leve y asked. And he seyth that he knoweth right well he hath be right negligent and sparyng theryn as yn other offencys meny and dyvers, supposyng to the worlde warde for the beste duryng the tyme of this entrey. Bot savynge the commaundement of yow my Lorde Chaunceller

and other lordes, he woll amende hit as sone as God well yeve hym grace and tyme to as the lawe woll. And as to his clere lyvyng yn his awne person and cause yever of ensample of all suche mys-governance, he seyth that God wote who ys cler of his lyvyng "quia nemo sine crimine vivit" and prayeth the causers doers and wyllers therof every man furst to se his awne defaultis as well theryn or and as well as yn other defaultis grettere and more perill and offence then this, and he that fyndeth himself cler, caste he the furst ston as yn the Gospell, and do he has the Mayer shall for his part, bysekyng yow my Lorde of Canterbury as Archebyssshop Prymate and hedde of all Churche of Engelande and his High Holy Gostly Fader to amytte hym to his purge for the grete parte of the mater of disclaunder that ys thus disclaundely of yvell wyll openly putte apon hym and that for the love of God and yn wey of charite.

The articles of complaint being answered and replied to, the proofs appear to have been stated. The following "Articles of Proof," and the answers thereto have been found.

XXXV.

THE BISHOP'S ARTICLES AGAINST THE CITY TO PROVE THAT THE BISHOP'S FEE IS DISTINCT AND SEPARATE FROM THE CITY.

These maters folwyng prove that the Cathedral Church of Excetre and the Cimiterie thereof and also the Bysshoppis fee there, otherwyse called Seynt Stephenys fee, both distyncte and ceparate fro the Cyte of Excetre.

I. Furst hit ys conteyned yn the boke of Domys Day "quod rex habet in Exonia ccc. domos xv. minus 7c. Episcopus habet in Exonia xlvij. domos duas acras terre et dimidiam 7c." whiche maketh the seyde Church Cimiterie and fee, so that the saide boke provyth that the Bysshoppys tenementis were frank fe and cevered fro the Kyngs aunceon demene, whiche aunceon demene maketh the seide

Cite as the Mayer and Comminalte of Excetre have supposed before this yn theire awne writyng.

II. Item William Conquerroure and alle his heiris hadde the seide Cite yn theire awne hondes as there aunceon demene distyncte and ceparate fro the seide Bysshoppis tenementis tille the ij^{de} yere of the reynyng of Kyng H. the thirddde duryng whiche tyme somme yeris the Shirivys of Devonshire accompted of the issuys and proffitis therof yn the Kynges Exchequer as parcell of the ferme of the shire and somme yeres gardeyns of the seide Cite, as hit appereth of recorde yn the Eschequer; all whiche tyme the seide Bysshoppis tenementis were not claymed to be parcell of the seide Cite.

III. Item none of the Bysshoppes of Excetre nother theire tenantes of theire saide tenementis paied never rente nother didde eny servicys [to] the lordes nother to the gardeyns or possessours of the seide Cite as tenantes of aunceon demene doth to their lordes.

IV. Item the seide Bysshoppis fro the tyme that noo mynde ys have hadde a Court yn theire seide fe and lete and vyw de franke plegge, as shall be proved by olde rollis therof, and correccion of brekyng of assise of bred and of ale and of assaunts and of alle other articlis longyng to a lete, and wrytts of right sywed there 7c.

V. Item the citeseyns of the seide Cite hadde never libertees ne custumys before Kyng Harey is tyme the thirddde bot as Burgeyses and tenantes of aunceon demene sholde have; at whiche tyme they were worthy and thrifty puple and suffred the seide Bysshoppes and theire tenantes of theire seide fe to be yn pees till afterward nywe charters were made to theyme.

VI. Item the Citeseyns of Excetre hadde never the seide Cite to fe ferme before Kyng H. ys tyme the thirddde; at whiche tyme they by coloure of a voyde charter made to theym therof by Richard

Kyng of Almayne brother of the seide Kyng H. wrongfully usurpyd apon hym claymyng to hold the seide Cite by fe ferme, wherfore the same Cite was resumyd yn to Kyng E. the thriddes hondes by vertu of a jugement hadde ther apon by grete deliberacion, and the Shrive of Devonshire charged by writte to answeere to the Kyng of the yssuys and proffits therof, as hit appereth of recorde yn the Escheker; and afterward the same Kyng by his letters patentz graunted the seide Cite to the saide Citeseyns and to their successours to fe ferme; syth whiche tyme they have wrongfully dyvers tymes claymed the seide Bysshoppes tenements to be parcell of the seide Cite otherwyse then ever was done afore.

Indorsed: Copia vera.

XXXVI.

THE MAYOR'S ANSWERS TO THE BISHOP'S ARTICLES OF PROOF.^a

These bene^b the Aunswerys to the Articulis of Provis y putte yn by the [Bysshop Deane and Chapitre of the] Cathedrall Church of Exeter ayens the Mayer Baylyfs and [Comminalte of the same Cite to prove that the] seide Cathedrall Church the Cymetere therof and that [they^c calle now the Byshoppis fe otherwyse and rather y] called Seynt Stephens ys fee and nowe otherwyse they calle^c [the Bishoppis fee] sholde be ceparate and distyncte away fro the seyd Cytee.

As to the firste artycle of provis where the seide Bisshop Deane and Chapitre seyn that hit is conteyned yn the boke of Domysdey quod rex habet in Exonia ccc. domos xv. minus 7c. Episcopus habet in Exonia xlvij. [domos duas acras terre et dimidiam 7c. whiche] maketh the seide Church Cimiter and fe so that the seide boke proveth as the seid Bysshop seith that the Bisshoppis [tenauntes

^a The text is from an imperfect copy roll. A collation is given from a full copy in parchment found after the transcript was made—it is designated A for the purpose. Slight variations of spelling have not been noted.

^b bene] byth. A.

^c they to calle "yn ther first article of these compleyns called Seynt Stephyns Fee and nowe otherwise they callyth the Bisshoppes fee shalbe, &c." A.

were frank fe and cevered fro the] Kynges auncheon demene. The whiche the seide Maier and Comminalte seyn is noo prove that the [seyde Churche Cimiterie and fe ne tenaunts] both frank fe separate and distincte away fro the seide Cite and that they remytte yn^a to your grete wise [domys]. And yf hit so were by reson hit sholde be called Seynt Peter is fe, and so was hit never, nother the Byssshop is fe as they now claymeth bot long sithenys tyme of mynde. Bot if eny fe be hit hath be called Seynt Stephens fe as the seide Bisshop hath supposed and claymed yn his furst and seconde articlis of compleyntis, and annexed to the Churche of Seynt Stephen of Excetre hed place of the seide fe, as of olde tyme hit hath be seide knowed and called. Yn prove wherof some of the tenantis of the seide Byssshop holdeth and bereth rente to the seid Byssshop as by right of the seide Churche of Seynt Stephen and sywte and servyce to the seide Byssshop as by the right of þ^e same Churche; and somme bothe by rente sywte and servys to the seide Bisshop as by right of the seide Churche of Seynt Stephen; w^t oute that ony house lond or tenemente hold of the seid Bisshop of that he calleth hys fee forseid ben holde of the seid Bisshop as of the right of his Church of Seynt Peter forsaide; and withoute that the Churche of Seynt Peter Cimiterie or housis withynne the procyncte of the seide Cimiterie beryng eny suche rente sywte or servys to the seide Churche of Seynt Stephen or to the seide Byssshop by right of the seide^b Churche nother the seide Churche of Seynt Stephen beryng eny suche rente swyte or servys to the seide Churche of Seynt Peter. And so hit proveth yf eny be Seynt Stephens fe, ceparate and distyncte away fro the seide Cathedraill Churche and Cimitery, as the seide Byssshop hymself yn his furste and seconde articulis of compleyntis separatly and ceverally hath supposed and claymed; withoute that hit be conteyned yn the Boke of Domysday or Osbert the seconde Byssshop of Excetre [among wother claymed or made] mencyon of eny suche Church of Seynt Stephen or fe; and with-

^a yn] omitted in A.^b seide] same. A.

oute that eny of the seide Bysshoppis predecessours were seised of eny fe yn the tyme of Kyng William Conquerroure as they have above supposed and claymed. And so the seide^a boke of Domesday proveth right noght for the saide Bisshop Deane and Chapiter yn this mater, ^band that they remytteth as hit is aboveside.^b Bot they seyn that hit proveth by that the Bisshop^c Deane and Chapitre seyn as hit is conteyned yn the boke of Domesday with more as hit is conteyned yn the same boke thereto yn these wordis “ De tempore Regis Edwardi Episcopus habet in Exonia duas acras terre et dimidiam et jacent cum terra Burgensium que ad ecclesiam pertinent,” the whiche lorde Osbert the seconde Bishop there claymed to have yn Seynt Edward is tyme yn the Cite of Excetre withoute eny more as hit appereth yn the same boke of recorde; the whiche londe maketh the Bisshoppis Paleis and the gardynes annexed therto. And yn Kyng William Conquerroure is tyme the seide Bisshop claymed the same londe and a Churche beryng a marke and xlvij. housis beryng xs. xd. not makynge mencyon perteynyng to his Churche. The whiche rentis as well as of meny other housis londis and tenementis y-holde yn the seide Cite yn like wise somme of Seint Edwardis tyme and somme of the seide Kyng William Conquerroure is tyme beryng custome or rente or bothen^d; of the whiche Churches housis londis and tenementis somme both of the seide Bisshoppis and his predecessours and somme of Bisshoppis of other dioceses and of religeous and of erlis barons knyghtes squyers and other none withseide bot all parcell of the seide Cite and annexed to the same, whas namys and parcellis meny both conteyned yn a bulle annexed herto^e with meny moo that ther both, in alle

^a seide] omitted in A.

^b and to aboveside] omitted. A.

^c Bishop] omitted. A.

^d bothen] both. A.

^e On a rider occur extracts from Domesday relating to houses in Exeter which pay custom to the King, viz.: “*Terra episcopi de Exonia*. Episcopus de Exonia habet in civitate unam ecclesiam que reddit j marcam argenti et xlvij. domos reddentes xs. xd. et due domus sunt vastate per ignem. Ibi due acre terre et dimidia et jacent cum terra Burgensium que ad eccliam pertinent. Ipse episcopus tenet in Excestria ix. domos reddentes iijjs.” Also “*Terra Episcopi Constantiensis—Ecclesia Batailze—Terra Comit*

maketh the nombre of lx. and moo ʒc. as hit appereth of recorde. The whiche rentis alle of tyme that no mynde renneth have be and yet bene parcell of the fe ferme of the seide Cite. And so hit proveth by the seide boke of Domesday that the seide Church Cimiterie housis londis tenementis and fe both not franke fe ne ceperate ne distincte away fro the saide Cite, as they above have leide, bot at all tymes have ben and yet both yn and of the seide Cite annexed therto and parcell of the same as well as of other of the same holdyng comprehended and made mencion of yn the seide bille. And yn prove that the seide Cite was at fe ferme yn the tyme of Kyng William Conquerroure hit proveth by these wordis yn the seide boke "*Exonia hec reddit xvij. libras*" the whiche rente so putte yn certeyne proveth a fe ferme. And yn more prove therof they seyn that yn Kyng Harry is tyme the furst, sone to the Conquerroure, the iiij^e yere of his regne, Mawte his Quene founded the hous of Crechurche yn London and yeaf to the foundacion therof "*duas partes redditus Exonie.*" And so the same Kyng Harry the furste conformed hit by these wordes "*De redditu Exonie*" ʒc. And so hit proveth fe ferme.^a Bot yn more full prove therof the same Kyng sende a writte yn to the Barons of his Eschequer yn the whiche is conteyned these wordis "*Sciatis me concessisse esse stabule (sic) donum quod Matilda uxor mea dedit et concessit Canonicis Sancte Trinitatis Londonie de firma civitatis Exonie. Et ita distringatis sicut feceritis de mea propria firma.*" The

Moritonie — Terra Baldwini Vicecomitis — Terra Radulfi Pomeray — Terra Alveredi — Terra Godeboldi,"—with this note: "The whiche alle churchis housys londys and tenementis both of oo holdyng as well as ryght meny moo other and dyverse whiche alle passyth the nombre of lx. and moo beryng rente or yeldyng custume as all apperith of recorde yn the seyd boke, none wythseyd except the xlvij. housys aboveseyd now late; the whiche the Mayer and Comminalte seyn that all both parcell of the seyd Cytee yn and of and annexid to the same. And they seyn that all the rentys aforesyd ben parcell of the fe ferme of the said Cyte, and that rentys and custumys proveth a fe ferme by prescripcion at that tyme. And the Cyte not yn the Kinges hondes as hit ys yn their seconde Article of provis supposid."

^a fee ferme. A.

whiche writte is of recorde wherof a copy is redy to shewe, and thus hit proveth that the seide Maier and Comminalte hadde the seide Cyte of Excetre to fe ferme yn the tyme of Kyng William Conquerro^r by no graunt of Kyng bot by prescripcion, and so [at all tymes] vew de franke plegge as they have alleide yn theire furste article of theire compleyntis and as hit is allowed be fore justice yn Eier^a amonge other thynges by these wordis “Cives Exonie habent placita de vetito namio, furcas, assisas panis et servisie 7c. Et hec omnia habuerunt ante conquestum et post;” a copy of whiche recorde is redy to shewe: and yet yn prove that hit is a fe ferme, hit was never answered yn to the Escheker bot by rente certeyn as hit is abovesaide and paied by suche hondis as hit appereth yn the seconde article of the repplications to the answeris to the articles of the seide Maier and Comminalte or by name of a fe ferme as yn the iij^{de} Kyng Harry is tyme the xx. yere of his regne by these wordis “Cives Exonie debent xij ti xix s. de firma ville sue et vj ti ix s. vj d. de eadem pro dimidio anno sed non debent summoneri quia Ricardus^b frater Regis Comes Cornubie habet 7c.” as hyt apperith of recorde as wel as yn the thrydde Edward is tyme, the vj^{te} yere of his regne; at whiche tyme the Cyte was seysyd yn to the kynges hondys and the Shrivey charged wyth the yssuys and profitis therof by wrytte by thes wordys “Preceptum est Vicecomiti 7c. quod eandem civitatem capiat in manu Regis et de proficiuis inde provenientibus” 7c. The whiche were never by the Shyryve y aunswerid yn to the Kyng, bot at hys accomptes therof discharged and the Citee charged by thes wordis: “De qua quidem firma iidem Major et Cives restant onerandi” 7c. And so hit proveth alwey a fee ferme as hyt is abovesayde; wythout that hit was at ony tyme y aunswerid yn to the Escheker by these wordis “de proficiuis aut de exitibus” 7c.

Item to prove that the seyde Churche londis and tenantis both noo franke fe ne separate ne distyncte away fro the seyde Cytee as

^a Justices of an eyer. A.

^b Richardus] Rex. MS.

they have above supposid and leyd;^a furste hit is a grete prove the grete and meny dyvers provis that the Mayer and Cominalte have provid the cite at fe ferme and long contynuaunce as hit ys above seyde and leyde. And for more opyn prove the Mayer and Comminalte seyn that alle the Bysshoppis tenantys of that he callyth Seynt Stephyn ys fe at all tymes have be chargeable and charged wyth theym yn al maner taxacions talliages and charges, the whiche both specyfyed yn al^b theire seconnde article of compleyntes, and specyaly yn a taxe yn the furste Edwardys tyme, the vj. yere of his regne, of every mannys rente of cytees and burghes the xth parte to the Kyng, as hit more opynly apperyth yn the fourth article of provys; at whiche tyme of assesse levy and payment made therof there was no mencion ne exception y-made of no fe lond ne tenemente dystyncte ne ceparate away fro the seyde Citee, but al payed as hit ys above-seyde; and the Bisshoppis tenants specyaly as hit apperyth by rollys and the commysyon of recorde, the whiche both redy to shewe.

Item more and right openly hit proveth by this that the tenantis of the seide Seint Stephens fe to alle dymes y-graunted and payed to the Kyng at eny tyme, the whiche dymes both graunted^c payed and made levey bot of cytees and burghes, the seyde tenantys of moste olde tyme and sythenys hath payed, and yet yn thes dayes whan hit cometh, payeth, and not by tham withsayde. And so hyt proveth opynly parcelle of the seyde Cytee or els Cyte or burgh by hym sylfe. And so was hyt never.

Item hit proveth by that that coroners of the seide Citee aughte and so have executed theire power that longeth to theire office of coronershipp as well yn the Cathedrall Church of Excetre as yn alle other placys housis londis and tenementis with ynne the seide clos and cimiterie as yn alle other housis londis and tenementis of the seide Bysshoppis with ynne the seide fe whanne hit hath falle, as hit openly proveth yn the vij. article of our provys.

^a and leyd] omitted. A.

^b al] omitted. A.

^c graunted] omitted. A.

Item hit proveth by that dyvers londis and tenementis lyyng yn dyvers placis of the clos and amydde the cimiterie of the seide^a Cathedrall Church, aswell as of other londis and tenementis of the tenementis that the Bisshop calleth to be of his fee, by the predecessours of the Bisshop and dyvers of his tenants of the same fe have pleded and be pleded and recovered before the seide Maier and Baillifs, and so stondest seised at this day ; and the Bisshop specially, and the housis londis and tenementis of the seide fe have passed by fynes and testaments and y-ruled at alle tymes after the custome of the same Cite, as hit openly is proved yn the viij. article of provys of the seide Maier and Commynalte and by recordis wherof titelynggis thereafter suyth : the whiche recordis both redy to shewe. ^bThe whiche y-shewed they truste to God and to youre gode lordshippis that hit shall stoppeham, and they not to be receyved to seye the contrary nother the Church housis londis ne tenementis of theiris aboveside both^b ceparate ne distyncte fro the seide Cite bot yn and of parcell of the seide Cite and annexed to the same as they have above proved.

Item as to the seconde article of provys where the Bisshop Deane and Chapter seyn that William Conquerour and alle his heiris hadde the seide Cite yn their awne hondis as their aunceon demene distyncte and ceparate fro the seide Bisshoppis tenementis till the seconde yere of Kyng Harry the thridde, duryng whiche tyme shyryves of Devonschyre accompted of yssuys and profytes therof as parcell of ferme of the shyre, and some yeris gardeynys &c. All whiche tyme the Bysshoppys tenementys were not claymed to be parcell &c. To the whiche artycle the Mayer and Commynalte seyn that the contrarye of al thys artycle yn their furste artycle abovesayde ys suffycantly proved and that they remytte yn to youre grete wysdomys.^c

Item as to the thrid artycle of provys, where the Bysshop Deane

^a seide] omitted. A.

^b The to both] and is sufficient to prove that they byth nott. A.

^c and to wysdomys] omitted. A.

and Chapytre seyn that none of the Bysshoppis of Excetre nother their tenantys ^a of theyr seyde tenementys ^b payed never rente nother hadde eny servys to the lordys as tenantys of aunceon demesne: Thereto the seyde Mayer and Comminalte seyn that the seyde Byshoppis and their tenantys of olde tyme hau done and payed as tham aughte to do and paye and as hit ys comprehendyd yn the fyrste artycle abovesayde.

Item as to the fourthe artycle of provys, where the seyde Byshop Deane and Chapytre seyn that the seyde Bysshoppys fro the tyme that no mynde ys have hadde a courte yn theyr seyde fe and lete and vew de frank pleg, as shal be proved by olde rollys therof, and correccion of brekyng of Assise of bred and of ale and of assautys and of alle other articles longyng to a lete and wryttys of ryght ryght sywed there: Therto the seyde Mayer and Comminalte seyn that they ne have ne aughte to have bot Courte Baron, and that longeth therto. And that is to prove by many and dyvers records aredy ꝛc. And as to all the remanent of the same article, hit ys proved the contrary yn the furste article aboveseyde, and yn the seconde article of their provys ꝛc.

Item as to the fyfte article of provys, where the seyde Byshop Deane and Chapytre seyn that the Cyteseyns of the seyde Cytee hadde never liberties ne custumes before Kyng Herry ys tyme the thridde bot as burgeyses and tenantys of aunceon demene shulde have; Therto the seyde Mayer and Comminalte seyn that they and their predecessours have hadde and used custumys and libertees by prescripcion as hit ys above proved yn their furste article, and as they maye and ys proved yn the ^b nexte the vj^e article sywyng as wel yn^c Kyng Harry is tyme the furste as hit apperith by hys chartre of recorde that they have the same liberties and custumys that London hath by thes wordys "*Sciatis eos habere consuetudines Londoniensium sicut barones mei ibidem nobis testantur.*" The

^a of to tenementys] omitted. A.

^b the] and the. A.

^c yn] as yn. A.

whiche ys no nywe graunte bot proveth a prescripcion, and so hit ys allowed before Justyse yn Eyere. And as toward that they seyn that of olde tyme there were thrifty puple yn the Cite of Excetre, as who seyth to every mannys understondyng and als hit wol be take noo thrifty puple there now, the whiche is no mater yn substaunce to aunswere to; nerthelez hit shall be aunswered and declared among other maters yn a bulle y-brought to my Lord Chaunceler.

Item as to that they seyn that the Mayer and Comminalte of the seyde Cytee suffrid the seyde Bysshoppis and theire tenantys to be yn pease; thereto thei seyn thare was no debate ne no cause of debate, but now; for the Bysshoppis predecessours at that tyme and all theire tenantys didde sywe, pledid and were pledid before the Mayer and Bailys as tham aughte to do, and never claymed to be ceparate ne distyncte away fro the seyde Cytee, as hit proveth by dyverse evydencys and recordys yn our articlis of provys specified.

Item as to the vj^e Article of provys where the seyde Bysshop Deane and Chapitre seyn that the cyteseyns of the Cytee hadde never the Cyte to fe ferme before Kyng Harry ys tyme the thrid, and that they seyn ^athat the seyde Cytee was seysed yn to Kyng E. the thridde ys hondys. And as to that they seyn^a that the Shyryve of Devonshyre was charged by writte to aunswere to the Kyng yn hys Escheker of the yssuys and profetys of the seyde Cyte; and as to that they seyn that afterward the same Kyng by his letters patentz grauntid the seyde Cyte to the seyde cyteseyns and to theyre successours to fe ferme; the Mayer and Comminalte seyn as to the seysyng of the seyde Cyte and takyng of a nywe charter, they both not by the lawe excludid to clayme al the olde custumes franchyses and libertees by prescripcions as they didde before. And as to that they seyn that they sythenys have claymed the seyde Bysshoppis tenementys to be parcell of the seyde Cytee otherwise than ever was done before; ^bthey seyn never bot as ham aughte to do, and as they have provid yn the furste article of provis aboveseyd. And as to

^a that to seyn] omitted. A.

^b they to 'tc.] which is well proved yn the first article of provys; A. *which ends here.*

all the remmanaunte of this article, hit ys proved yn theire firste article abovseyd 7c.^b

Thes aunsweris thus made writen and delyvered yn to your gode lordshippis, we the Mayer and Comminalte of the seyde Cyte of Excetre trustyng to God that we have after the Kyngis comaundement do writen and delyvered yn al that we aughte to do and delyver, praying you of your gode and gracious lordshippis that the Bisshop Deane and Chapitre do the same for theire parte, that yet both byhynde of rejoynyng to our Articles and the aunswere to oure article of provys. And so the parties to stonde evyn, and over that replie to thes aunsweris, and we shall rejoyne and lete them do the same to oure articles of provis. And as we truste to God the maters by evydencis shall be so declarid that right shall opynly appere. And therapon that hit please your gode and gracious lordshippis so to make an ende after the fourme effecte and entente of our Article of supplicacion yn the ende of the Artycles of our Provis conteyned. And if eny partie be yn defaute let hym be so reulid knowed and reportid to the Kyng our soverayne lord 7c. And that for the love of God and yn way of charyte.

Indorsed.—Copia vera. Et examinatur per Montegu et Johannem Aleyn.

The Bishop and the Dean and Chapter put in Articles of Complaint against the Mayor and Citizens, which were answered by the City, and replied to by the Bishop and Dean and Chapter. These articles, answers, and replication, however, are not to be found; the answer to the replication only has been discovered. It is as follows:

XXXV.

THE MAYOR'S ANSWER TO THE REPLICATION OF THE ANSWER
OF THE BISHOP.

These ben the Answeres of the Mayer Bailliffs and Comminalte of the Cite of Excetre to the Replicacion of the Answeres to the Articlis of Compleyntys of the Right Reverende Fader yn God the Bisshop of the Cathedrall Church of Seynt Peter of Excetre, the Dean and Chapitre of the same Church.

As to the Replicacion of the Bisshop of Excetre made &c. ayenst the Furst Answer of the sayde Mayer Baillifs and Comminalte, Where the sayde Bysshop yn his repplicacion seyth that there was an Eyre holdon yn the Shire of Devonshire afore Salamon Roof and his felowes atte Excetre yn the vtas of Seynt Martyn the yere of the regne of Kyng Edward the Furst the ix^e, and that the sayde Mayer Baillifs and Comminalte were not restored by fyn by replevyn made of the sayde libertees and franchises. And also that yn the iii^e yere of Kyng Edward the iii^{de} the sayde Cyte wyth the apurtenaunce was seysed yn to the Kyngis handys, yn which as after theire entent the sayde libertees and franchises of the sayde Maier and Comminalte shuld be expired and extynt and theyre answer were not sufficiaunt : Therto the sayde Maier and Comminalte seyn that the repplicacon of the sayde Bisshop Dean and Chapitre is not sufficient yn lawe to exclude ham of theire claym and title of theire libertees and franchises yn maner and fourme by tham claymed ; for as moche as they surmytten nor generall ne speciall seysyn therof, ne non allocucion by Quo Waranto generall ne speciall, ne leye no recorde in certeyn to conclude hem ; But for more pleyen declaracion of theire custumys libertees and franchises they seyn that long tyme afore that Eyre, by protestacion that there ys non suche recorde as they seyn, atte another Eyer holden atte Excetre anno tercio of the sayde Edward the Furst and atte another Eyre holden at Excetre anno quarto of the same Kyng, the Maier and Comminalte of the sayde Cite that tyme beyng, claymed before the Justise yn

Eire at that tyme beyng, to have diverse libertees franchises and custumys and also suche libertees franchises and custumys as the Citesyns of London at that tyme hadde, whiche Cite of London at that tyme hadde all the same libertees franchises and custumys that the Maier and Citesyns of the Cite of Excetre yn theire furst aunswere and articles claymed to have ; whiche were yn the sayde Eyres to them allowed, and after that yn the sayde Eyre by the sayde Bysshop aleyed to be holden before Salamon Roof and his felawes at Excetre as hit appereth in the sayde repplicacon of the sayde Bysshop, the sayde Maier and Citeseyns seyn that they by the name of Burgeyses appered atte sayde vtas of Seynt Martyn by the sayde Bisshop alleyd byfore the sayde Salamon Roof and his felowes, and there appered and claymed all the sayde libertees and franchises in the maner and fourme abovesayde. And as touchyng the seysen by the sayd Bisshop aleyd of the sayde Cite ynto the Kyngs hondes the thirdd yere of Kyng Edward the Thirdd by the cause of the sayde Bisshop above aleyd ; the sayde Maier Baillifs and Comminalte seyn that the sayde Cite anno quinto of the seyde Kyng Edward the Thirdd was seysed in to the Kyngis hondys *salvis Majori et civibus omnibus juribus et libertatibus suis* ; wythoute that that hit was that the sayde Cite was seysid into the Kyngis hondis anno tercio in maner and fourme as the seyde Bisshop hath above aleyd or yn any other tyme before or after ; in whiche cas the libertees and franchises of the sayde Mayer Baillifs and Comminalte at that tyme of the seyde seysone hadd and before and after were abode and contynued still yn theyr persons wythoute any ynterrupeon as they have supposed in theyre furste aunswere. Wherefore the sayd Maier Baillifs and Comminalte praith that ayenst the sayde Bisshop they may be discharged and dismyssed and use and enjoye alle theyre seyde libertees and franchises as they have doon byfore.

And there as the sayd Bysshopp seyth that there as the Mayer and Citeseyns of the sayd Cite that tyme beyng, atte theire sute made to the same Kyng Edward, had by hym graunted and confirmed to theym by hys letters patentes whych beth confirmed by

owre Soverayn Lord the Kyng that now ys, yn whyche cas after the entent of the sayde Bysshop the acceptacion of the sayde letters patentes shuld conclude and stoppe the sayde Mayer and Citeseyns to claym any other libertees and franchises then ys conteyned yn the sayde Letters Patentes; Therto the sayd Mayre Bailliffs Citeseyns seyn that this mater ys nott sufficiant in lawe to conclude and stoppe theym ; bot that they may clayme alle the libertees and franchises the whyche they yn theyr furst Articles and answeris have claymed And there as the sayd Bysshop alleggeth that atte an Eyer holden anno ix^o Edwardi primi atte Exceter claymed to hold plees wythynne the sayde Cite de vetito namio and none other ; Therto the sayde Mayer Baillifs and Comminalte seyn that they claymed to hold plees yn the sayde Cite de vetito namio, returna brevium, extracta finium and assise of bred and of ale amonge other libertees and franchises as they have claymed above ; wyth oute that that they claymed to holde plees de vetito namio only and none other. And also where the sayd Bysshop alleggeth that sythen the tyme of mynde when any plees or recordes have be broght and removed out of that Court ynto the Kyngs Court atte Westminster the titlyng of the sayde plees have be made “ Exon scilicet Placita tenta ibidem coram Majore et Ballivis &c. juxta libertates eisdem Majori et Ballivis concessas,” yn which cas the sayd Maier Bailiffs and Citesyns sholde clayme to have theire libertees and jurisdiccions by force of the Kyngys letters patentes and not by prescripcion; Therto the sayde Mayer Bailliffs and Comminalte seyn that they ne thaire predecessours never made certificat ne retorne into the Kyngys Court other wyse ne in other maner bot accordyng to their title of prescripcion abovesayd other accordyng to thaire clayme and title of libertees and franchises by the Kyng oure Soverayn Lorde and his progenitours to them graunted and confirmed. And there as the sayde Bysshop seyth that the sayd Maier Bailliffs and Comminalte ne none of theire predecessours never hadde used ne enjoyed jurisdiccions libertees franchises coreccions and determinacions of offensis trespasses dettes contracts ne of non other matiers ne accons of affraies done or made ayenst the

Kyngs pees ne of none other thyng don by twene parti and parti tochyng plee reall or personell wythynne the sayde Cathedrall Church Cimiterie and fee of tyme that no mynde ys as they have surmited yn thaire Aunswer; the sayd Mayer Bailliffs and Comminalte seyn that they knowe of no suche fee as the sayde Bysshop hath above reherced. But they seyn that the Maier and Bailiffs of the sayde Cite and all theire predecessours of tyme that no mynde ys ben and have be seysed of alle the seyde jurisdiccions libertees fraunchises correccions and determinacions of offenses trespasses dettes contractes and other matiers accions and affraies don or made ayenst the Kyng's pees and of all thyngs don bitwene parti and parti tochyng plee reall or personell wythynne the sayd Cathedrall Church Cimiterie and wythynne all the tenements of the sayd Bishop, beyng wythynne the sayd Cite, yn maner and forme as they have aunswered above; which mater they will averre. And as tochyng to that that the sayd Bisshop seyth that there as the seyde Maier and Citeseyns seyn that they have jurisdiccions libertees and fraunchises as ys aboveseyd as well by severall Letters Patentes of divers progenitours of oure seid Soverayne Lord the Kyng and by hym conformed as fro tyme that no mynde ys; the seyde Bisshop prayth of hyryng of the seyde Letters patentes and that they may be shewed for he knowyth none suche of recorde; Thereto the sayd Maier Bailliffs and Citeseyns seyn yff the Bisshop wyll sey that ther ys none suche recorde, they byth redy to averre that ther ys suche recorde, so that they have day tyme and place resonable to bryng hit forth. And as to that that the seyde Bisshop Dean and Chapitre seyn that the seyde Cathedrall Church and Cimiterie ben no parcell of the sayd Cite, but out of tyme that no mynd is have be dystincte and separate fro the same as hit shall be proved by mater of record; the sayd Maier Bailliffs and Comminalte seyn ther ys no suche recorde as th[ey surmetten] but they seyn they will averre by recorde and otherwyse that hit is and at all tymes hath ben parcell yn and of the [same Citey].

II.—Item as to the seconde repplicacion of the seide Bisshop to
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the seconde answer of the seide Maier Baillifs and Comminalte ; the seide Maier Baillifs and Comminalte seyn that their answer is not sufficiantly repplyed to with that they will averre all thyngs conteyned yn their seide answeare, and pray yow that of the seide Article they be utterly descharged and dismyssed.

III.—Item as to the iii^e Article they seyn that the seyde assessours ne have otherwyse assessed the tenauntis of the seide Bysshope ne yn none other maner then ever hit hath be at alle tymes used and accustomed and accordyng to the afferant of the charge for the tyme beyng and accordyng to their Answer abovesaide.

IV. V.—Item as to the repplication of the iiie^e and the v^e Answeris of the seide Maier Baillifs and Comminalte, they seyn that their Answeris beth gode and sufficiant yn lawe, the whiche they beth redy to averre and to prove sufficiantly that the seide Cathedrall Church and Cimiterie ben yn and of the seide Cite and withynne their liberte franchise jurisdiction and power yn maner and fourme as yn their Answer more pleyntly ys conteyned.

VI.—Item as to the vi. repplication of the seide Bisshop Dean and Chapter, the saide Maier Baillifs and Comminalte seyn like as they seyde yn their answer above that they understonde not that they bith bounde oghte by lawe to the seide Article to answer as they have abovesaide, withoute they wer made party to the same. And as therto as hit is supposed that the seide John Hulle tyme of the pollutyng surmetted was Maier of the seide Cite and divers of the officers and of the Comminalte ther helpyng assistyng and supportynge hym yn the saide affray; yn which cas hit shold be the part of the seide Maier and Comminalte therto to answer : they seyn by protestacion they know no suche affray ; but for as myche as they surmette not the saide affray to be don by the seide Maier and Comminalte nor by their commandement but by synguler persons; yn which cas they aughte not by lawe therto to answer;

they pray yow that therof they may be discharged. And as for the violent shedyng of blode and pollutyng of the Churche of one John Pawton, they seyn that therto they have yeve sufficient answer, the whiche they will averre. But for more pley[n] declaracion the cause and the grounde of shedyng of the seide blode more pley[n]ly appereth yn an answer by the seide Maier and Comminalte ayenst the seide Bisshop Dean and Chapter surmetted afore yow putte. The whiche yet by tham abideth unanswered.

VII.—Item as to the vii. replicacion the seide Maier Baillifs and Comminalte seyn that they have sufficiently answered therto, as they understonde, and made sufficient justificacion of the wrong by them supposed, the which they beth and at alle tymes will be redy to averre. And as touchyng the graunte by oure Soveryn lorde by his letters patents late to them made, they seyn that the seide letters patents after their entent bith voide and of none effecte yn lawe consideryng their answer therto made and also their compleynt ayenst the seide Bisshop Dean and Chapter, by the whiche the right title and clayme of the seide Maier and Comminalte pley[n]ly appereth: ayenst whiche right title and clayme the seide nywe letters patents be direct contrary; wherfor they byseke yow this premissis considered that of their compleyntis they be discharged and that they may pesibilly enjoye use and have their custumes libertees and franchises as their predecessours have done before ham.

VIII.—And as to the viii. replicacion of the seide Bisshop Dean and Chapitre, they seyn that alle the mater conteyned yn their viii. Answer to their compleyntis is gode and true, the whiche they beth redy to averre. And as touchyng the grete consideracon after their entent of the lementable injuries that they suffren by mene of som of their unkynde children, and also wilfulness of certyn persons of the seide Cite, and also yn eschewyng of menyfolde ynconvenyencis, they desiren hasty remedy of the seide strife; and also

how by divers membres of the seide Mayer and Comminaltees answers they fayne and coloure their answer with sotelnesse yn desiryng of lenger delay; therto the seyde Mayer and Comminalte seyn that the seide consideracons excepte oon touchyn certyn persons of the seide Comminalte covertely and sotelly yn maner and fourme of disclaunder; the which longeth not to gode faderhode ne to priesthode to do, the whiche yf tham luste to declare so hit touche the seide Maier and Comminalte they ben redy therto to answere. And as touchyng that poynt that the seide Maier and Comminalte sholde fayne and coloure their answer with sotelnesse yn desiryng of lenger delay, they remytte tham to your grete wyse-domes and to their answeris repplicacons and articlis, lowly and mekely desiryng yow, oure lorde Chaunceller, and yow oure other lordis the premisses to consider and how alle the lementable injuries sotelnesse wilfulnesse debate and strif commenseth and begyneth yn their part and not yn the part of the seide Maier and Comminalte, and so to ende the mater after their compleyntes herde and as far as gode feith right and true consience wyll and requiren, or ellis to remytte hem to the comyn lawe, the right there be tried and determyned. And y John Shillynford nowe beynge Mayer of the Cite of Excetre byseke yow yn the lowlokyst wyse that for as myche as the seyde Bysshop Dean and Chapiter have noysed by their writyngge not pleyndly declared of divers thingis as hit appereth yn the seide writyng and of divers other thyngis yn coverte wyse as hit is to suppose, that hit like yow so to rule the seide Bysshop Dean and Chapitre that they yn pleyn wyse nude and open may put yn yn wrytyng alle thyngs the whiche they fele ham greved of, so that the seide John Shillyngforde may have thereto an answer, the which he trusteth to God he wyll spedely answer to the plesance of yow and his pleyn excuse and declaracon.

APPENDIX.

XXXVI.

THE MAYOR AND CITIZENS OF EXETER TO THE KING.

Petition praying for the withdrawal of a Privy Seal by which the matters in dispute between the Bishop and the Dean and Chapter of Exeter and the Mayor and Citizens are ordered to be removed out of common law and put to the arbitration of the Lord Chancellor and two Justices.*

To the King our soveraigne lord,

Besechen most mekely your humble lieges the Maier and Citezenis of your auncien Citee of Excetre, the wich they hold of yow for a fee ferme to them right chargeable, that where it liked your highnesse by the suyt of the reverent fader in God Emond Bysshopp [of] Excestre and the Dean and Chapitre of the same to addresse your letters [of privy seal] unto your seid Maire and Comminalte of yo^r Citee aforseid commaunding them upon þe peyn of m^t. ii. and upon their liegeaunce [to come and appere] afore your Chaunceller of Englond and certein of your Jugges by him to be assigned the xxth day of Juyn last past [and to bringe] w^t them ther Chartres and evidences consernyng her libertees and Fraunchises and to obey such reule and ordenaunce as shall be sette by your seid Chaunceller and Jugges bitwene the seid Bisshop Deane and Chapitre and your seid besechers ; the goyng out of the which prevee seall is ageinst the forme and ordre of your lawe of this your noble Reaume ; in the which every yo^r trew liegeman in this your same Reaume is enherited. Please it your

* The date of this petition is about July 1447, for in Bishop Lacy's Register under date Chudleigh, 18 May, in that year, we find the appointment of William Byconyll, LL.D. Walter Collis the precentor, John Druell archdeacon of Exeter, John Rowe the subdeacon, Roger Keys canon of Exeter, Sir John Wolston chaplain, John More, John Wode, and Thomas Maynour, Attornies and Proctors for the Bishop and the Dean and Chapter, to appear before the Lord Chancellor and the two Chief Justices. They are also granted a power to produce charters and muniments. [Lacy's Register, ff. 286^b, 287.]

highnesse of your grete right wisnesse and speciall grace tendrely to have in rightfull favo^r your seid Cite Mayer and Citezeyns, Forasmuch as^a it is ordeigned by the statute made in Magna Carta of the libertees and franchises of Englund pat no man shuld bee disseised ne put out of his free hold ne pe King upon him shuld goo, neither him shuld vex ne in no manere him shall take ne enpreson but by lawfull juggement and by lawe of the lond, neither the King shuld deferre ne deny right or justyce And over pat it is ordeigned by a statute in the tyme of your noble progenitor King E. the III^{de} in the XLII yere of his reigne for the gode governaunce of the commune that no man shuld be putte to answeere before the King or his Counseill w^tout presentment before Justice or matier of record or due processe and writte originall after the auncien lawe of this your seid reaume. And yf eny thing be doen the contrary that it shall be hold for nought.^b And forasmuch as your seid suppliantz ben vexed and put to trouble by colour of the seid preve seall ageinst your lawe and ageinst pe seid ordenaunce to adresse your honorablez letters under your signet un to your seid Chaunceller commaunding him that ne no wise he hold afore him no mannere matier by force of the seid preve seall ageinst yo^r seid suppliantz, and pt he for that cause dymysse hem. And yf eny man have cause to compleyne ageinst hem pat pei pt such cause have sue the commune [lawe] ageinst hem, and thei as yo^r most obeisantz lieges in your commune lawe will answeere hem w^tout delay. And to graunt un to the seid Maier and Citezens of yo^r seid grace yf eny such preve seall or other such your high commaundement ageinst the lawe of this yo^r seid noble Reaume to hem be directed that for the nonnobeisaunce therof thei be putte in no vexacon hurt trouble ne losse in no manere wise. And this atte hone^r of God and in wey of cheritee. And thei yo^r humble lieges w^t all her triew entent shall pray evermore to God for your high estate.

^a Cite to as] originally "Mayer and Citizens considering the grete and huge charges that thei bere yerely to you for the seid Citee and have doen unto your noble progenito^rs afore this tyme, and howe."

^b And to the end] altered in MS. as follows: Where for most soveraynge lord please yn Right wiseness that yo^r said besechers as for yo^r said preve seall be utterly discharged and dismyssed and rueleed and demened after the cours of yo^r Comen law and accordyng to yo^r Statutes aforesaid yn the wurshup of God and way of Cheryte and they will pray to God for yow.

Indorsed:—The supplication unto the Kinge to call yn his commaundement that the mayer shall come to an arbitrament.

A supplycacon to the Kyng for the callinge of his pryvie seall graunted agaynst the Lawe.

XXXVII.

BOND FROM THE BISHOP AND THE DEAN AND CHAPTER TO STAND TO THE
AWARD OF THE CHANCELLOR AND TWO CHIEF JUSTICES.

8 August, 25 Henry VI. A.D. 1447.

Noverint universi nos Edmundum Exoniensem Episcopum ac Decanum et Capitulum ecclesie Cathedralis beati Petri Exonie teneri et per presentes firmiter obligari Majori et communitati civitatis Exonie antedictae in quingentis libris bone et legalis monete Anglie; solvendis eisdem Majori et Communitati vel successoribus suis aut eorum certo attornato in festo Sancti Michaelis Archiangeli proximo futuro post datum presentium. Ad quam quidem solutionem bene et fideliter faciendam obligamus nos et successores nostros per presentes. In cujus rei testimonium tam nos predictus Episcopus sigillum nostrum quam nos predicti Decanus et capitulum sigillum nostrum commune presentibus apposuimus. Datum octavo die Augusti anno regni Regis Henrici sexti vicesimo quinto.

Condicio suprascripte obligationis talis est quod si supraobligati Episcopus et successores sui ac Decanus et Capitulum ecclesie cathedralis et successores sui steterint iudicio ordinationi et arbitrio Reverendissimi in Christo patris et domini Domini Johannis permissione divina Cantuariensis Archiepiscopi Cancellarii Anglie, Johannis Fortescu Militis Capitalis Justiciarii Domini Regis ad placita coram ipso Rege tenenda, et Ricardi Newton Militis Capitalis Justiciarii Domini Regis de comuni Banco, arbitratorum indifferenter electorum de et super jure titulo et possessione omnium et omnimodorum libertatum franchisesiarum privilegiorum et jurisdictionum cum omnibus et omnimodis eisdem libertatibus franchisesiis privilegiis et jurisdictionibus aliquo modo pertinentibus; necnon de et super omnimodis actionibus litibus querelis debatis et demandis inter predictos Episcopum Decanum et Capitulum et prefatos

Majorem et communitatem ac Ballivos Civitatis predictæ necnon inter prefatum Episcopum et dictos Majorem Ballivos et Communitatem ac inter prefatos Decanum et Capitulum et predictos Majorem Ballivos et Communitatem habitis motis sive pendentibus ante datum supradictum. Et si duo vel tres predictorum Episcopi Decani et Capituli ut procuratores sive attornati eorundem Episcopi Decani et Capituli ad ministrandum causas et materias de et super premissis personaliter compareant coram prefatis arbitratoribus in quindena Sancti Michaelis Archiangeli proximo futura post datum supradictum, et si iidem Episcopus et successores sui ac Decanus et Capitulum ecclesie cathedralis predictæ et successores sui dicta judicium ordinationem et arbitrium ex parte sua bene et fideliter perimpleverint ac omnia in conditione ista specificata fideliter observaverint, quod extunc predicta obligatio pro nullo habeatur; alioquin in suo robore permaneat et effectu. Proviso semper quod dicta ordinatio arbitrium et judicium per prefatos arbitratore de et super premissis facienda fiant et reddantur in scriptis indentatis sigillis ipsorum arbitratorum sigillatis et partibus predictis separatim liberatis citra festum Natalis Domini proximo futurum post datum supradictum.

Attached are the fragments of the seals of the Bishop and the Dean and Chapter.

XXXVIII.

THE FINAL AGREEMENT BETWEEN THE BISHOP, DEAN AND CHAPTER, AND THE MAYOR, BAILLIFS, AND COMMONALTY.

12 Dec. 27 Henry VI. A.D. 1448.

This Endenture made bytwene Edmund Lacy Bysshop of Exceter and the Dene and Chapitre of the Cathedrall Church of Synt Petyr of Exceter of the one partie, and the Maier and the Comonaltie of the Citie of Exceter of the other partie Witnessith that where dyvers debates contraversies and discordes moved and hadde bytwyne the parties above sayd the same parties the xii. day of the moneth Decembre the xxvii. yere of the raynyg of Kynge Harry the Sixte by mene and mediation of Thomas Courtney Erle of Devonshire and of Sr William Bonville knight both agreed and accordyd of all the sayd debatis contraversies and discordes yn the forme folwyng :—

Fyrst that where the seide Bysshop hath sued and sueth a writte of trespasse upon his case yn the Kynges Courte before his Justices of the comyn benche ayens the seide Maier and Comonaltee, ther both plees pleded and a issue joyned bytwyne the seide Bysshop Maier and Comonalte and theruppon a *nisi prius* is graunted to be tryed and take at Barnestaple in the shire of Devonshire the Mundaye next after the feste of Synte Lucie the Virgyne next cominge before S^r Richard Neuton Knight and Nicholas Ayssheton the Kynges Justices or one of them, as it appereth more pleynelly of recorde yn the seide Courte; the seide parties both accorded that the seide issue shall be tryed by there comyn assent for the parte of the seide Bysshop and his entent, and theruppon jugement to be yeve in the seide Courte for the same parte and intent without any disturbaunce and lettynge of the seide Mayer and Cominalte or of their successours. And forthwith the damages yn the seide sute to be recoveryd shall be releessed by the seide Bysshop.

Also the seide Bysshop and his successours shall rejoyce and have to them and their successours for ever more their lordshipp and fee yn the seide Citee and suburbes of the same called Bysshoppes fee, other wyse called Seynt Stevenes ffee, whereof the seide Cathedraill Church and Churcheyurde of the same both and have be parcell. And Courte Baroun letes and vewes of frankeplege with yn the seide ffee of al thynges doun and to be doe there w^tyn, dystyncte and separate fro the jurisdiction and libertee of the seide Citee, w^toute any disturbance and lettynge of the seide maier and commonalte and bailyfs and coroners of the seide Citee and their successours by the commowndment of the seide maier and their successours. And that the seide maier and commonalte bailes and Coroners of the seide citee and their successours by commawndment of the seide maier and commonalte or their successours shall make no somnes attachementes distresses arestes nor capies w^tyn the seide fee church and churcheyurde parcell of the seide fee nor none jurisdiction ne interesse there have except certayn hye waies and stretes as hit foloweth hereafter write. Also the seide Bysshop nor none of his successours nor none of their mynesters of their Courtes foresaide by commawndement of the seide Bysshop or his successours shall never hereafter by prosses or cause of the same Courtes to doe some attache nor areste w^tyn the seide church or churcheyurde any persone of the seide Citee nor of the suburbes longynge to the juris-

diction of the seide Citee nor any jurisdiction yn the seide church and churcheyurde have upon theym, save sprytuel jurisdiction of any thyng doe or to be do wthyn the seide church or churcheyurde or fee foreseide.

Also the seide Maier and Commonaltee Baillyfs and their successours shall have power for ever more to make somnes attachementes and arestes yn the hie wayes and stretes wthoute the olde bowndes of the seide churcheyurde withyn the seide fee, except the waies and stretes wthyn the seide church and churcheyurde beinge wthyn the olde bounds of the seide churcheyurde of alle persons there godes and catelles; except the seide Bysshop Deane and Chapitre and there successours and alle the mynestres of the seide church and there successours and there famylier servants and of every of theym and alle tenants of the seide Bysshop and of his successours of the seide fee and there godes and catelles for evermore.

Also the tenauntes of the seide Bysshop and of his successours of the seide fee dwellynge withyn the walles of the seide Citee shall yn resonable maner and yn resonable tyme by resonable warnynge made by the mynesters of the seide Mayer and comminalte and of their successours to the baily of the seide Bysshop and of his successours of the seide fee, in dywe tyme shal keepe there nyghte wacche of the seide Citee for there torne wth other citizeins of the seide Citee upon payne of loste of iiii d. to be payd to the seide Maier and Comminaltee at every tyme that they be yn defaute to be made levy of goods and catelles of any of the seide tennauntes founde wthout the seide fee wthyn the libertee of the seide Citee wthoute any lettynge or disturbaunce of the seide Bysshop Deane and Chapiter and of there successors. Except the seide Dene and Chapiter and the mynesters of the seide Church and there successours.

Also the tennauntes of the seide Bysshop and his successours of the seide fee shall paye dymes and kynges silver and other taxes to the kinge at al tymes to be graunted to the kyng and his heires and successours, and murage of the seide Citee resonably wth the citizeins of the seide Citee. And that the baily of the seide Bysshop and of his successours of the seide fee for the tyme beinge be resonably warned by the mynisters of the seide Maier and Comminaltee and of there successors for to warne the seide tenauntes to be attc the settinge thereof and to be admytted to have there voice theretoe as the seide citizeins shall have. And that the

money or taxe so sette apon the saide tenaunts be reryd and levyed by the seide baily of the seide fee and payde to the mynesters of the seide citee assigned by the seide Maier and his successours to resceve hit or to other comyseyoners &c.

Also that alle Chartors late made and graunted to the seide Bysshop and his successours of any jurisdiction or jurisdictions to be hadde w^{thyn} the seide churche symytery fee or close of the same by the kinge that nowe is of any action real personall and myxte apon any person or persons shall be atte the sute of the seide Bysshop or his successors revoked cancelyd and adnulled by fore Easter day nexte comynge.

Also the said Bysshop Deane and Chapter nor none of hir successours by their comaundmente nor the seide Mayer and comminaltee and bailles and coroners by the commowndment of the seide maier and comminaltee nor none of their successours shal never hereafter purchase have occupie nor use any jurisdiction w^{thyn} the seide fee church and churcheyurde by reason of any charter or charters or graunte or any other cause hereafter to be made or hadde by the Kinge his heirs or successours ne by graunte of Parliament ne by cause of anye grauntes byfore this tyme hadde by the Kynge that nowe ys.

Also the seide Bysshop Dene and chapter nor their successours by theym ne by other shal not lett nor disturbe the seide Maier Bayles and Commonaltee nor their successours to have and purchase newe charters and grauntes for to have more jurisdiction libertee and fraunchises w^{thyn} the libertee of the seide Citee oute of the seide fee churche and churcheyurd parcell of the same.

Also the seide Maier Bailles and their successours and servants for the tyme beyng of the seide Citee alle tyme cominge perpetuall shall bere their mase and mases w^{thyn} the seide Church Cimitery fee and close w^{thout} lettyng or disturbaunce or contradiction of the seide Bysshop Dene and Chapter or any of their successours or any of their mynesters or officers by the commowndment of the seide Bisshop Dene and Chapter or their successours.

Alway foreseyne that the seide Maier Baylifs and their successours hereafter never w^{thyn} the seide fee churche and churchyurd parcell of the same fee clayme use nor have any maner jurisdiction authoritee or power other than is conteyned yn the olde composicions byfore this tyme betwene the seide parties y-made.

Also the seide Maier Baylifs and Comminaltee ne their successours nor none of them shall never sue any commyseyon nor no thinge by auctoritee of parliament nor ne nother graunte for any auctoritee or power to be hadde to make any arestes wthyn the seide Citee or attachementes or capias or wthyn any place by the whiche the auctoritee of the justices of peas of the seide shire nowe beyng or tyme to comynge shall be may be lette or herte.

Also if any difficultee be yn any article abovesayde that hit be reformyd after the trewe entent of the same by the avyse of counsell of the seide both parties the substance thereof not chaungyd. And yn case that the Counsell of the seide parties maye not accorde upon the premisses that then this wrytyng and appuyntementes after the true entent to be kept and fulfilled. In witnesse of all the premisses to the one partie of this endenture remaynyng to the seide Maier and Cominaltee the seide Bysshop Dene and Chapter have putte their seles and to the other partie of the same endenture remanyng towarde the seide Bysshop Dene and Chapter the seide Maier and Cominalte have sette their common sele.

Seal of (L.s.) the Bishop. Seal of (L.s.) the Dean and Chapter.

XXXIX.

THE BOND TO PERFORM THE COVENANTS OF THE FOREGOING DEED.

Noverint universi per presentes nos Edmundum Exoniensem Episcopum ac Decanum et Capitulum ecclesie Cathedralis beati Petri Exonie teneri et firmiter obligari Majori et Communitati civitatis Exonie et eorum successoribus in duobus millibus librarum sterlingorum bone et legalis monete Anglie solvendis eisdem Majori et Communitati vel eorum successoribus ad festum Pasche proximo futurum post datum presentium. Ad quam quidem solutionem bene et fideliter faciendam obligamus nos et utrumque nostrum per se pro toto et in solidum et successores nostros per presentes. In cujus rei testimonium tam nos predictus Episcopus sigillum nostrum quam nos predicti Decanus et Capitulum sigillum nostrum commune presentibus apposuimus. Datum duodecimo die Decembris anno regni regis Henrici sexti post conquestum vicesimo septimo.

Conditio istius obligationis talis est quod si supra obligatus episcopus et successores sui ac predicti Decanus et capitulum et successores sui ex parte sua teneant et perimpleant omnia et singula convenciones articulos et appunctuamenta inter ipsos Episcopum Decanum et Capitulum ac prefatos Majorem et Communitatem in quibusdem indenturis inter eosdem Episcopum Decanum et Capitulum ex parte una ac suprascriptos Majorem et Communitatem ex parte altera factis et contingentibus quod extunc presens obligatio pro nullo habeatur; alioquin in suis robore permaneat et effectu.

XL.

PETITION OF SHILLINGFORD TO THE CHANCELLOR FOR AID TOWARDS THE
REPAIRING OF EXBRIDGE.

To the most Reverend fader in God John, Cardynall of Engeland and Archebissshop of
Yeork.

Bysekyth yow full mekely John Shillyngford Maier of the Cite of Excetre yn name of hym self and all the hole Comminalte of the seid Cite as well as of all puple of the grete part of Engeland havynge concours and way over the most perillous watter yn tyme of eere y called Exe by a brigge there y called Exbrigge ajoynant to the seid Cite, where of longe tyme and withynne tyme of mynde was nother brigge ne way bot by right a perillous fery bote; by the whiche fery as hit is seid and like that of olde tyme puple were yn grete perill and meny perissshed and lost. Wherfor oon Walter Gervys, some tyme Maier and Citeseyn of the same Cite, and a notable man of Gode, with other helpe of almesdede of the seid Cite as well as of the contrey there aboute as of the grete part of Engeland evyng almesdede therto the some of x. mt. ii. and more as hit is supposed and appereth by the werk of the same, toke upon hym to make, and so was made a new brigge, where was none before. Whiche brigge is of the lengthe or negh by and of the same mason werk as London brigge housyng upon excepte, and by the seid Maier and Comminalte at theire grete yerly coste kepte susteyned repaired and amended; the whiche, and new makynge, they may noo lenger endure and bere. Wherfor grete part of the seid brigge by dyvers tymes hath fallen adown and made up ayen with tymber as now is, and ofte tymes

with grete waters fallen adown ayen: by the whiche perillous waters and so fallyng adown of the brigge puple have be yn grete perill and meny and dyvers lost and ded, and withoute better remedy meny moe like and all the brigge to falle adown and a fery bote to be as of olde tyme grete perill and charge to alle puple, cause of withdrawyng of repaire of puple and vitail and moche desolacion of the seid cite. Whiche alle God defende. The whiche brigge openly is knowen the grettest costlew werk and most of almesdede to helpe hit yn all the west part of Engeland and will not be new made and amended withoute helpe of grete almesdede as hit was atte begynnyng of makyng of the same brigge aboveside. Wherfor bysekyng yow my lord cardynall most specially and yow alle oure worthy maisters executo^rs to my lord Cardynall of Wynchestre that late died, of whas sowle God have pity and mercy, to conside this bulle and to be begynners of yevers of almesdede to the seid brigge, whiche trustyng to God shall be cause of moche more gode yevyng makyng and repairyng of the said brigge thogh hit coste ij. m^l. ii. as hit is like—and that besekyng yow for the love of God yn way of charite and almesdede for the seid sowle of my lorde cardynall abovesid.

XLI.

Extract from the Mayor's Court Roll, 23—24 Henry VI., m. 21, respecting Shillingford's election as Mayor.

Nota pro Recordo. Ad hanc diem scilicet diem Lune proximam post festum Sancti Valentini Martyris (18 Feb. 1444—5) anno regni Regis Henrici sexti vicesimo tertio apud Exoniam in Gihaldam ad horam secundam post meridiem Johannes Shillyngford qui alias hic ⁊c. die Lune proxima post festum Sancti Michaelis Archiangeli anno regni predicti Domini Regis supradicto in Majorem Civitatis Exonie secundum consuetudinem ⁊c. electus fuit, modo per mandatum Domini Regis de privato sigillo suo sub pena mille librarum eidem Johanni eo quod idem Johannes officium Majoratus Civitatis predictae a die electionis predictae usque in hunc diem assumere recusavit ea occasione commissum in se benigne modo assumat et cum magna solempnitate juratus est. Et remanet secundum consuetudinem ⁊c.

XLII.

EXTRACTS FROM THE ACCOUNTS OF THE RECEIVERS OF THE CITY OF
EXETER RELATING TO THE SUIT.

22—23 Henry VI. to 27—28 Henry VI. A.D. 1443—1449.

Receiver's account, 22—23 Henry VI. Michaelmas 1443 to Michael-
mas 1444.

Hugh Germyn, Mayor.
Will. Crymell, Receiver.
John Forde, Clerk.
Hen. Broke, Attorney.

Expensæ forinsecæ.—Item solutis Willelmo Fox ad equitandum versus Londoniam ad interloquendum cum consilio civitatis pro quadam actione quam decanus et capitulum ecclesiæ Cathedralis Sancti Petri arrainerunt versus Johannem Cousham pro recognitione inde habenda xij s. iiij d. Item solutis Johannis Coteler pro vino misso Nicholao Radford pro eadem materia xij d. Item solutis Willelmo Fox equitanti versus London pro quadam litera portanda capitali Justiciario Domini Regis pro diversis negociis civitatis xvj s. viij d.

Item solutis Nicholao Radeforde pro pabulo equorum ejusdem Nicholai die martis post festum Sancti Gregorii Pape existentis apud Exoniam pro materia inter Dominum Episcopum Exoniam et Majorem et communitem pacificanda xld. Item in uno juntaculo dato eidem Nicholao et servientibus suis eodem tempore xx d. Item datis clerico ejusdem Nicholai eodem tempore iiij d. Item datis Henrico Trethyn equitanti versus Nicholaum Radeforde pro negociis civitatis cum locacione unius equi viij d. Item datis Johanni Coteler pro labore suo equitanti versus dominum Episcopum Exoniam pro quodam debato inter dominum Episcopum et Majorem et Communitatem pacificando xij d.

Mar. 13,
1443-4.

Receiver's account, 23—24 Hen. VI. Michaelmas 1444 to Michael-
mas 1445.

John Shillingford, Mayor.
John Beaufitz, Receiver.
John Forde, Clerk.
Hen. Broke, Attorney.

Nov. 21, 1444. Item in j quarterio vini de Malmesyn super Majori et sociis ejus xxj die Novembris in Gihalda existentibus pro negociis civitatis iiij d.^a Item in uno quarterio vini de Malmesyn uxori ejusdem Recordatoris eodem tempore iiij d. Item in una lagena vini data Recordatori in crastino concepcionis beate Marie viij d. Item soluto pro vino videlicet ij lagenis vini datis Majori Johanni Shillingford et sociis suis existentibus apud Gihaldam pro negociis civitatis xvij die Februarii xvj d. Item in uno potello vini de Malmesyn misso Majori et sociis suis existentibus in Gihalda pro negociis civitatis xxj die Februarii viij d. Item in pissibus emptis et missis Nicholao Radford xvij die Februarii iij s. vj d. Item in j panyer pro dictis pissibus inde cariandis j d. Item in uno potello vini de Malmesyn dato uxori Nicholai Radford eodem tempore viij d. Item in ij lagena j *quarte* et j *pynte* vini rubei et albi missis eidem Nicholao eodem tempore xix d. Item in vj panbius canonicis missis eidem Nicholao eodem tempore vj d. Item in vino dato Majori et sociis suis ac Recordatori eodem tempore in domo Majoris viij d. Item solutis uno homini ad portandum retorum cujusdam brevis versus Londoniam missum Majori et Ballivis Exonie, xx d.

In pede.—Postea oneratur de xx s. receptis de Nicholao Druell pro expensis suis versus Londoniam pro negociis civitatis. Et sic debet vj li. xv s. x d. Inde allocatur eidem xxij s. iiij d. in plenam solucionem omnium expensarum suarum equitando versus Londoniam pro negociis civitatis.

Receiver's account, 24—25 Hen. VI. Michaelmas 1445 to Michaelmas 1446.

John Hull, Mayor.
John Clerke, Receiver.
John Forde, Clerk.
Hen. Broke, Attorney.
Nicholas Radford, Recorder.

Nov. 8, 1445. *Dona et exennia.*—In primis in ij lagenis vini missis Willielmo Bonevyll chivaler octavo die Novembris apud Exoniam xvj d. sic pro lagena

^a This item is erased, MS.

viiij d. Item in j lagena et j potello vini missis Majori et sociis suis existentibus in Gilhaldia pro negocio civitatis eodem die xij d. Item in focale empto pro eisdem Majore et sociis suis eodem tempore ij d. Item solutis Willielmo Baffe pro bono concilio suo habenda in quodam debato inter Dominum Exoniensem Episcopum et Majorem et communitatem Exon. xx s. Item solutis Nicholao Radford ultra vadium pro bono consilio suo habendo inter dominum Exoniensem Episcopum et Majorem et communitatem Exon. xiiij s. iiij d. Item solutis Nicholao Broghton Vicecomite Devon. pro amicitia sua habenda inter debatum inter Dominum Exoniensem Episcopum et Majorem et communitatem Exon. xx s. Item in solutis Thome Heyt receptori brevium Domini Regis in comitatu Devon. pro amicitia sua habenda pro debato predicto vj s. viij d. Item solutis quinque generosis, videlicet Stephano Giffard, Johanni Gayleway, Henrico Drwe, Johanni Byry, et Ricardo Forsue pro amicitia sua habenda pro debato predicto, cuilibet eorum vj s. viij d., xxxiiij s. iiij d.

Item solutis Nicholao Radforde ultra pensionem suam pro consilio suo habendo alia vice pro debato inter Dominum Episcopum et Majorem et Communitatem xiiij s. iiij d.

Expense forinsece.—Item in uno equo locato pro uno homine equitante versus Alexandrum Hody pro negotio Civitatis iij die Januarii et in expensis ejusdem hominis medio tempore iij. s. Item in expensis Receptoris equitantis versus Londoniam ad scrutandum in Scaccario Domini Regis utrum feodum Episcopi sit guldabile cum civitate necne x s. Item dato clericis ejusdem Scaccarii de rewardo pro eodem scrutinio faciendo xl d. Item soluto Johanni Germyn in crastino cinerum ad reddendum Johanni Shillyngford pro expensis suis apud London pro negotio civitatis v. marcas. Item soluto Johanni Germyn pro expensis Majoris et sociorum apud Teverton xlvij s. Item soluto Edwardo Thryng equitanti versus Recordatorem cum copia carte Domini Episcopi xx d. Item in uno equo locato pro clerico equitante versus Recordatorem apud Crediton cum Johanne Shellyngford et Johanne Germyn iiij d. In expensis eorundem adtunc ibidem viij d.

In pede.—Et (allocantur) eidem x s. solutis Hugoni Lucays pro expensis suis versus Londoniam et ibidem et domorsum pro negotio civitatis et eidem vj s. viij d. solutos Nicholao Radeford pro consilio suo habendo pro civitate existenti apud Exoniam.

Jan. 3,
1445-6.

Feb. 12,
1445-6.

Receiver's account, 25—26 Henry VI. Michaelmas 1446 to Michaelmas 1447.

John Shillingford, Mayor.

John Germyn, Receiver.

Will. Speir, Clerk.

Henry Broke, Attorney.

Dona et exhennia.—^a Item in vij piscibus vocatis congre missis Domino Cancellario Anglie xvij s. vj d. Item in iiij^c de Bokhorñ missis eidem Cancellario eodem tempore pretii le c. v s.—xx s. Item in iiij^{or} piscibus vocatis Crabbis missis eidem Cancellario eodem tempore ij s. viij d. Item in cariagio eorundem piscium de Exonia versus Londoniam viij s. Item in j gentaculo piscium dato Nicholao Radeford, Willelmo Befe, Johanni Dowryssh et aliis apud Exoniam una vice, communicantibus et laborantibus pro materia inter Dominum Episcopum et Majorem et communitatem, videlicet in vigilia Sancti Bartholomei Apostoli ij s. iiij d. Item in piscibus recentibus datis eisdem pro alio jantaculo, communicantibus de materia predicta die Sabbati proximo sequente ij s. ij d. Item in ij lagenis vini datis Majori et sociis suis et consilio civitatis die Jovis proxima ante festum annunciationis beate Marie Virginis ad supervidendum articulos Domini Episcopi factos erga Majorem et communitatem in Gilhaldal ibidem xij d. Item in pane dato eisdem eodem tempore ij d. Item in ij lagenis vini missis Majori et consilio civitatis alia vice in Gilhaldal laborantibus pro materia inter Dominum Episcopum et Majorem et communitatem xvj d.

Aug. 23, 1447.

Aug. 26, 1447.

Mar. 23,
1446-7.

Christmas,
1447.

Expense forinsece.—In primis soluto Ricardo Druell essendo apud Tuverton per ij. dies ad communicandum cum Domino Comite Devonie pro materia inter Dominum Episcopum et Majorem et communitatem ij s. Item in expensis Ricardi Druell et Henrici Trethyne existentium apud Tuverton pro negotio civitatis ij s. Item in locatione ij equorum pro eisdem eodem tempore viij d. Item soluto Ricardo Druell pro expensis et labore suo equitanti usque Londoniam in septimana Natalis Domini ad communicandum cum Domino Cancellario pro materia inter Dominum Episcopum et Majorem et communitatem xl s.^b

^a Erased—"quia sine warranto."

^b This is erased—"quia pro negotio suo proprio virtute brevis de subpena ad sectam Decani et Capituli."

Item in uno jantaculo dato Majori, Johanni Coteler, Willelmo Upton, Johanni Germyn et aliis tempore quo Major reversit de Londonia xvij die Julii vij s. vj d.^a Item in uno equo locuto pro Johanne Coteler ad equitandum versus Nicholaum Radeford ad certificandum ipsum Nicholaum Radeford de labore Majoris apud Londoniam xx d. Item in expensis Majoris, Thome Cook, Johannis Coteler et aliorum civium equitantum versus Nicholaum Radeford ad communicandum cum eodem Nicholao de materia civitatis viij d. Item in piscibus recentibus datis eidem Nicholao eodem tempore ij s. vij d. Item in j potello de Malmesyn dato eidem Nicholao eodem tempore viij d. ob. Item in uno homine cum equo locato pro dictis victualibus cariandis usque mansionem Nicholai Radeford vij d. Item in ij equis locatis pro Johanne Coteler et Johanne Glasyer equitantibus versus Chuddelegh ad communicandum cum Domino Episcopo de materia inter ipsum et Majorem et communitatem xj d. Item soluto Ricardo Druell equitanti usque Tuverton ad communicandum cum Domino Conite pro materia civitatis viij d. Item in pabulo equi sui eodem tempore iij d. Item in uno equo locato pro Johanne Coteler equitante versus mansionem Nicholai Radford pro materia civitatis ix d. Item in vino de Malmesyn et piscibus datis eidem Nicholao xxij d. Item in ij lagenis vini emptis pro Majore et communitate die communicationis in Gilhaldia Exonie de materia inter Dominum Episcopum et Majorem et Communitatem xvj d. Item in ij equis locatis pro Johanne Coteler equitante versus Nicholaum Radeford cum j serviente civitatis pro reparacione facienda de articulis civitatis versus Dominum Episcopum xx d. Item in vino de Malmesyn et piscibus datis eidem Nicholao eodem tempore xx d. Item in ij equis locatis pro Johanne Coteler et famulo suo equitantibus versus mansionem Nicholai Radeford ad communicandum cum eo pro materia civitatis et in vino de Malmesyn dato eidem Nicholao eodem tempore xvij d. Item in j equo locato pro Willelmo Hampton ad equitandum versus Londoniam cum *le blak rolle* et aliis scripturis cum argento sibi liberato pro expensis suis versus Londoniam xij s. iiij d. Item soluto Johanni Harry pro scriptura j rotuli de croniculis xij d.

After Nov. 2,
1447.

^a Erased.

Receiver's account, 26—27 Henry VI. Michaelmas 1447 to Michaelmas 1448.

John Shillingford, Mayor.

John Germyn, Receiver.

William Speer, Clerk.

Henry Brok, Attorney.

Dona et exennia.—In primis in piscibus datis Johanni Copleston, Nicholao Radford et aliis tempore tractatus materie inter Majorem et communitatem et Dominum Episcopum xvij d. Item in cuniculis datis eisdem eodem tempore vj d. Item in ij *plovers* et j *partriche* datis eisdem eodem tempore v d. Item in vino ij s. ij d. Item dato Nicholao Rade-forde de rewardo eodem tempore xx s. Item dato clerico suo xx d. Item dato Thome Dourisshe eodem tempore de rewardo vj s. viij d. Item in uno fardello de Bukhorn dato Domino Cancellario Anglie in festo conversionis Sancti Pauli xx s. Item in cariagio ejusdem v s. Item dato Johanni Goff servienti Johannis Fortescu Chivaler eodem tempore xl d. Item dato clerico suo iiij d. Item in vino dato consilio civitatis eodem tempore [tempore Assisarum apud Exoniam tempore Quadra-gesime] laboranti circa negotium civitatis x s.^a Item in vino dato con-silio civitatis et Domini Episcopi in domo capitulari ix s. ij d. Item in vino de Malmesyn dato Nicholao Radeforde alia vice iiij d. Item in vino dato Willelmo Beffe et in pabulis equorum suorum apud Exoniam existentium tempore communicationis materie inter Dominum Episcopum et Majorem et communitatem viij s. vij d. Item in pane canonico, vino et piscibus datis Nicholao in domo sua alia vice ij s. vij d. Item in vino de Malmesyn dato Nicholao Radeforde alia vice xij d. Item dato

Jan. 25,
1447-8.

Lent, 1447-8.

June 24, 1448.

Johanni Husset in festo Nativitatis Sancti Johannis Baptiste laboranti circa negotium civitatis ex precepto Majoris xl d.^b Item in pane dato pro uno juntaculo Vicecomiti Devonie xij d. Item in vj lagenis servisie xij d. Item in v lagenis vini ij s. iiij d. Item in carne boum, multonum et porcorum ij s. Item in una auca empta v d. Item in iiij caponibus ij s. Item in una aucta ij d. Item in uno porcello vj d. Item in viij

^a This last item is erased.

^b This entry is erased.

castrumago (*sic*) alias vocatis *wodecokkys* vij d. Item in iij perdicibus alias vocatis *partrichis* vij d. ob. Item in v volucris v d. Item in speciebus emptis viij d. Item in argento dato coco de rewardo vj d. ✓ Item dato administrallis domini Ducis Suffolchie vj s. viij d. Item dato administrallis domini Ducis Buckingham viij d.^a Item in piscibus de sturgeon datis Justiciariis tempore assisarum iiij s. Item in makerellis vj d. Item in piscibus de conger iij s. iiij d. Item in lampreys xvj d. Item in anguillis iij s. iiij d. Item in uno turbet iij s. Item in vj coners^b xiiij d. Item in makerellis xiiij d. Item in makerellis iij s. ij d. Item in haddokkys xx d. Item in c. walkys iij d. Item in j pecia de graunt conger ix d. Item in gurnardis xvij d. Item in piscibus datis hominibus de consilio tempore tractatus materie predictae apud Exoniam iij s. vij d.^c Item dato Johanni Husset ad equitandum pro Willelmo Beef ex precepto Majoris vij d. Item in piscibus datis Johanni Copleston, Nicholao Radeforde et aliis tempore tractatus communis materie predictae apud Exoniam alia vice ij s. iij d. Item in piscibus de Milwell et lenge emptis pro eisdem eodem tempore xij d. Item in piscibus de lenge emptis pro eisdem eodem tempore vj d. Item in argento dato Thome Dowrisshe apud Londoniam de rewardo vj s. viij d. Item dato servienti Majoris pro cariagio harnesie usque Londoniam iij s. iiij d. Item in locatione batellorum pro Majore et hominibus de consilio per diversas vices apud Londoniam vij d. Item in uno pane et piris datis Alexandro Hody, Thome Dourisshe et aliis v d. Item dato Thome Jenkyn de rewardo pro scriptura articulorum &c. per diversas vices vj d. Item dato Willelmo Nayller pro scrutineo facto in Cancellario xx d. Item soluto Thome Yonge de rewardo vj s. viij d. Item in pane, vino et piris datis Johanni Vampage, Alexandro Hody et aliis de consilio civitatis xv d. ob. Item in una cena data Thome Dowrisshe, Alexandro Hody, Henry Brok et aliis xix d. Item in alia cena data eisdem alia vice ad supervidendum et corrigendum articulos etc. xiiij d. Item in ij prandiis et ij jantaculis datis Thome Jenkyn viij d. Item in vino et piris datis Alexandro Hody apud "Bel taverne" ix d. Item in argento dato Ricardo Neell et Thome Dourisshe de rewardo vj s. viij d. Item in vino dato eisdem v d. Item

* These two last entries are erased here, but eleven pence of the amount is allowed in the foot of the account.

^b Congers (?)

^c Erased.

in argento dato clerico Ricardi Neell viij d. Item in vino piris et bere datis Ricardo Neell, Johanni Bluet, et Thome Dourisshe xij d. Item in vino dato Thome Dourisshe et Ricardo Livermore ij d. Item in calepra data Johanni Vampage xx d. Item dato Thome Dourysse de rewardo in Gylhaldia civitatis ex consensu Majoris et sociorum suorum xxvj s. viij d.

Aug. 1, 1447. ^aItem in iiij^e de Bockehorne emptis pro Domino Cancellario Anglie in festo Ad vincula Sancti Petri anno xxvj^{ti} Regis nunc xvj s. Item in cariagio ejusdem usque Londoniam viij d. Item in una lagena vini missa uno generoso Ducis Suffolchie viij d. Item in una lagena vini data Domino de Lacy viij d.^a Item in iij lagenis vini Magistro Henrico Webber ij s. Item in iij lagenis vini missis Thome Courtenay chivaler ij s. Item in j lagena vini data Johanni Trevilian viij d. Item in uno potello vini dato Nicholao Radeforde iiij d. Item in xv lagenis et j quarterio et dimidio vini missis Baroni de Scaccario x s. iiij d. sic pro lagena viij d. Item in x lagenis vini missis Justiciario Domini Regis ad assisas tempore assisarum in festo ad vincula Sancti Petri v s. Item in j quarterio vini misso eidem Baroni eodem tempore ij d.

Expense forinsece.—Item in pabulis equorum Thome Cook equitantis usque Chuddelegh, Tyverton et Kyrton ad communicandum cum Domino Episcopo et Comite Devonie de materia civitatis iij s. Item in expensis Ricardi Druell equitantis versus Tyverton ad communicandum cum Domino Comite Devonie pro materia civitatis xxviii die Martii et in pabulis equorum suorum xxiiij d. Item soluto eidem Ricardo ad equitandum versus Criditon ad communicandum cum Domino Episcopo vj d. Item in expensis ejusdem Ricardi equitantis versus Tyverton ad communicandum cum Domino Comite Devonie pro materia civitatis x die Aprilis xij d. Item in expensis Johannis Germyn, Johannis Ayyle, Johannis Beaufitz, et Andree Thyrnge equitantium versus Shute ad communicandum cum Willelmo Bonevill milite pro materia civitatis v s. vj d. Item in ij equis locatis per duas vices pro Ricardo Druell et Henrico Dobyn equitantibus versus Tyverton et in eorum expensis per idem tempus xx d. Item in expensis Johannis Hulle, Johannis Cutler, et Ricardi Druell equitantium versus Radeway ad communicandum cum Domino Episcopo de materia civitatis iiij s. xd. Item in expensis Ricardi Druell et

March 28,
1448.

April 10, 1448.

Henrici Dobyn equitantium versus Tyverton pro materia civitatis et in pabulis equorum suorum iij s. v d. Item in duobus equis locatis pro eisdem Ricardo et Henrico equitantibus versus Tyverton pro materia predicta ij s. jd. ob. Item in expensis Ricardi Druell equitantis versus Tyverton cum una littera de materia civitatis ij s. vij d. Item in uno equo locato pro clerico equitante versus recordatorem pro una littera de materia civitatis v d. Item in expensis Hugonis Germyn, Johannis Coteler et aliorum equitantium versus Recordatorem pro materia civitatis cum vino dato eidem Recordatori eodem tempore iij s. x d. Item in expensis Johannis Glasyer equitantis versus London pro negotiis civitatis x s. Item in locatione unius equi equitandi usque Kyrton et Tyverton ad communicandum cum Domino Comite pro materia civitatis ij s. v d. Item soluto Ricardo Druell pro pabulis equi sui existentis in stabulo per duos dies parati ad equitandum versus Exon. pro materia civitatis videlicet ad communicandum cum Domino Cancellario xij d. Item in expensis Ricardi Druell equitantis versus Tuverton cum lanceis et in pabulis equi sui eodem tempore ij s. vij d. Item in expensis Ricardi Druell per ij dies apud Tuverton ad communicandum cum Domino Comite Devonie pro negotio civitatis ij s. Item in expensis Ricardi Druell et Henrici Trethyne apud Tuverton pro negotio civitatis ij s. viij d. Item in locatione ij equorum pro eisdem eodem tempore viij d. Item in cariagio togarum Majoris et civium Exonie usque Londoniam iij s. iiij d. Item in expensis Majoris clerici et servientum Curie apud Tuverton xij d. Item in argento tradito Ricardo Druell et Henrico Dobyn equitantium usque Londoniam pro negotio civitatis xvij s. videlicet xxv^o die Junii. Item dato eidem Ricardo de rewardo pro magno labore suo circa negotio civitatis ex precepto Majoris xl s.^a Item in expensis Receptoris equitantis usque Londoniam per ij vices tempore Johannis Hulle Majoris videlicet de termino Trinitatis xij s. x d.^b Item in expensis receptoris equitantis versus Londoniam alia vice pro negotio civitatis vj s. ij d. Item in expensis receptoris equitantis versus Londoniam alia vice pro negotio civitatis xj s. x d. Item in expensis ejusdem receptoris equitantis versus Londoniam alia vice videlicet termino Pasche et termino Sancte Trinitatis tempore Johannis Shillyngforde Majoris ix s. iij d. Item in

June 25, 1448.

Trinity, 1446.

^a These two last entries are erased.^b Erased.

expensis ejusdem Receptoris equitantis usque Londoniam per ij vices
 Easter, 1447-8. videlicet pro negotio civitatis videlicet termino Pasche et termino Trini-
 Trinity, 1448. tatis xxv s. x d. Item in uno jantaculo dato Johanni Bluet, Johanni
 Vampage, Thome Yong, et Thome Dourisshe in camera Johannis Vam-
 page apud Londoniam vijs. Item [in] expensis Willelmi Bonevyll et
 servientum suorum tempore tractatus pacis de debato inter Dominum
 Episcopum et Majorem et Communitatem existentium apud Exoniam
 una vice lxxvj s. Item in expensis Philippi Courtenay et servientum
 suorum hic apud Exoniam existentium pro materia predicta xxxj s. j d.
 Item in expensis servientum suorum iiij d. Item in piscibus emptis
 missis ad Criditon tempore tractatus materie ibidem cum Domino Epis-
 copo vj d. Item in piscibus missis Nicholao Radeford viij d. Item in
 piscibus missis eidem Nicholao iiij d. Item soluto Ricardo Neell de
 rewardo iij s. iiij d. Item soluto Nicholao Radeforde pro consilio suo
 habendo circa negotium civitatis ad Sessionem pacis post festum Epi-
 phanie Domini xxvj s. viij d. Item dato Thome Dourisshe juniore eodem
 Jan. 6, 1447-8. tempore x s. Item soluto Nicholao Radeforde pro labore suo die amoris
 Domino Comite Devonie ibidem existente xij s. iiij d. Item dato
 Willelmo Beef eodem tempore xx s. Item dato Thome Dourisshe eodem
 tempore vj s. viij d.

Receiver's account, 27—28 Henry VI. Michaelmas 1448 to Michael-
 mas 1449.

John Coteler, Mayor.
 William Tuke, Receiver.
 William Speere, Clerk.
 Henry Brok, Attorney.

Dona et exennia.—Item in una lagena vini missa Majori, Thome Cooke,
 Recordatori et aliis in domo Thome Cooke tempore communicationis
 materie in debato inter Dominum Episcopum et Majorem et communi-
 tatem viij d. Item soluto Ricardo Levermore pro magno debato inter
 Dominum Episcopum et Majorem et communitatem, videlicet pro labore
 suo de rewardo xij s. iiij d. Item soluto Johanni Hoppynge pro labore
 suo circa eodem materiam ut de rewardo xx d. Item in iij lagenis vini
 missis Domino de Bonevyle apud Exoniam x die Novembris ij s. Item

in j *quarte* de Malmesyn dato eidem Domino eodem tempore iiij d. Item dato eidem Domino de rewardo pro magno labore suo in materia inter Dominum Episcopum et Majorem et communitatem videlicet pro expensis suis lv s. vij d. ob. Item dato servientibus ejusdem Domini de Bonevyle adtunc de rewardo per preceptum Majoris et sociorum suorum xlvjs. viij d. Item in j summagio piscis dato eidem domino eodem tempore per preceptum Majoris et sociorum suorum iij s. x d. Item dato Recordatori de rewardo pro labore suo [in] debato inter dominum Episcopum et Majorem et communitatem Exonie xls. Item dato Willelmo Beoff de rewardo eodem tempore per preceptum Majoris et sociorum suorum xx s. Item in coners ^a emptis de Thoma Power, iij pleyeis emptis de Thoma Kyng ffyssher, in mulwel emptis, in tubdure et turbet emptis de Willelmo Fysshe, in konger, turbet et breyme emptis de Rogero Fyssher, et walkys emptis datis domino de Bonevyle pro magno labore suo in debato inter Dominum Episcopum et Majorem et communitatem ex assensu Majoris et sociorum suorum iiij die Aprilis viijs. x d. Item in cariagio eorundem piscium xvij d. Item in j lagena et j *pynte* de Malmesyn datis recordatori xvij d. Item in romenay vij d. Item in romenay vij d. ob. missis eidem recordatori. Item in piscibus datis eidem recordatori xv die Marcii xx d. Item in iij *quartes* de Malmesyn datis Domino Episcopo xxvij die Martii per preceptum Majoris et sociorum suorum xij d. Item in iij *quartes* de romenay datis eidem Episcopo eodem tempore ix d. Item in iij *quartes* vini bastard eodem tempore datis eidem Episcopo xij d. Item in j lagena vini rubei data eidem Episcopo adtunc vj d. Item in pabulis equorum Domini de Bonevyll apud Exon. apud *la Belle* tempore quo tractavit pro materia inter Dominum Episcopum et Majorem et communitatem xxxvij s. iiij d.

April, 1449.

Expense forinsece.—In primis in expensis factis apud Chuddelegh per Johannem Coteler, Majorem Civitatis Exonie, Johannem Kelly, Willelmum Duke, et servientes Curie tempore quo communicaverunt cum Domino Episcopo pro materia in debato inter Dominum Episcopum et Majorem et communitatem, videlicet in pabulis equorum suorum iiij d. ob. Item in expensis factis per Johannem Coteler Majorem, Johannem Hulle, Thomam Cooke, Willelmum Crymell, et Thomam Evelton pro materia predicta alia vice apud Chudlegh ij s. iiij d. Item soluto Henrico Dobyn

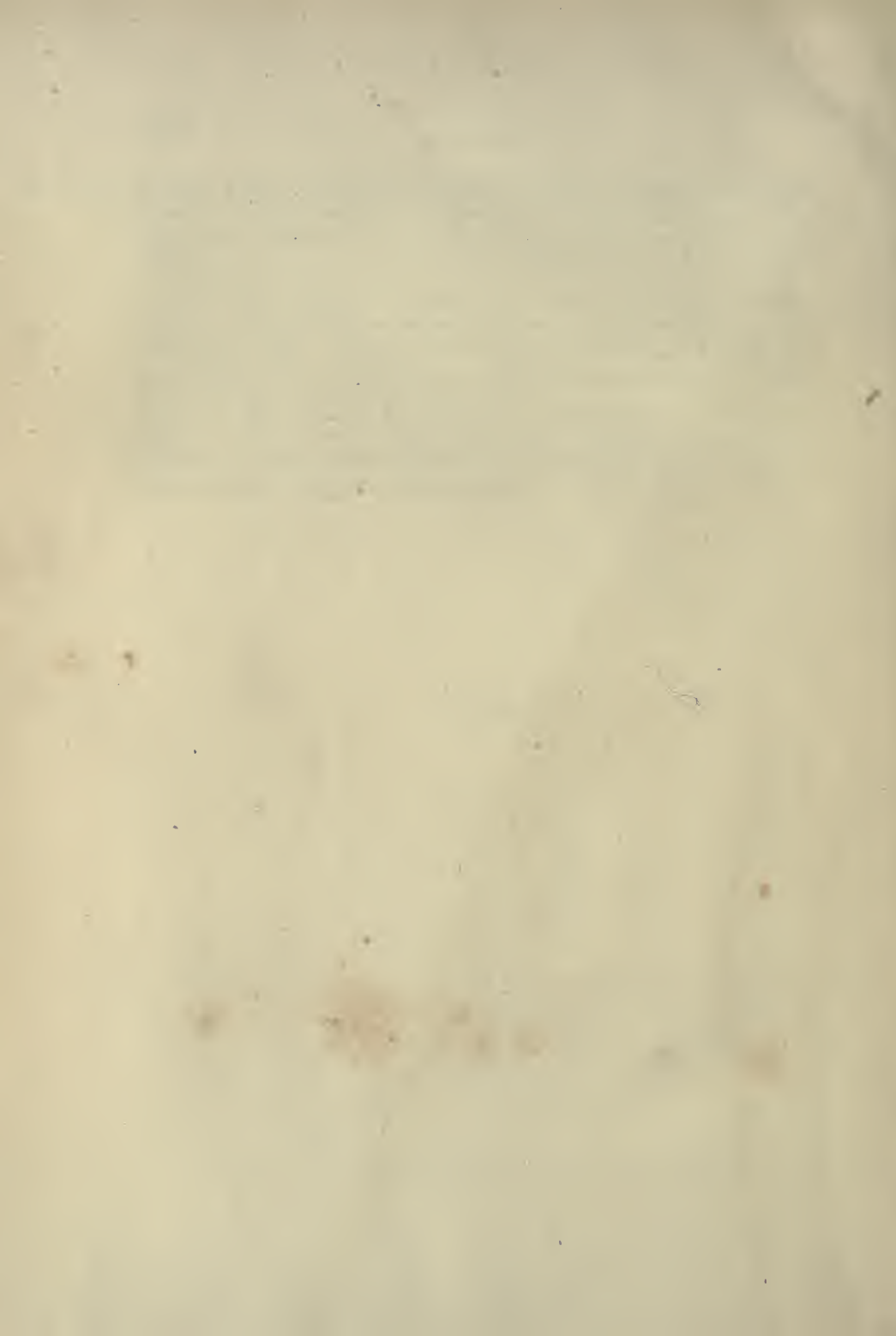
^a Congers.

Oct. 3, 1448. equitanti usque Londoniam tertio die Octobris cum copia placiti inter Johannem Notte clericum et Majorem et communitatem xiiij s. iiij d. Item soluto Johanni Shillyngford pro copia placiti predicti habenda iiij s. viij d.

In pede.—Et [allocantur] eidem xxvj s. viij d. soluti Thome Dourissh existenti ad parliamentum Domini Regis pro civitate Exonie. Et eidem xxvj s. viij d. Johanni Tyler existenti ad parliamentum predictum pro civitate predicta. Inde allocantur eidem xl s. soluti Magistro Hugoni Payn pro magno labore suo [in] tractatu cum Domino Episcopo pro materia in debato inter eundem Episcopum et Majorem et Communitatem dicte civitatis. Item allocantur eidem vj s. viij d. dati servienti ejusdem Magistri Hugonis eodem tempore.

THE END.





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